

Exhibit 4

DV-100**Request for Domestic
Violence Restraining Order**

You must also complete Form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection:

Alyze Pierce Age: 44

Your lawyer in this case (if you have one):

Name: Susannah Braffman Amen State Bar No.: 202168Firm Name: Elkins Kalt Weintraub Reuben Gartside LLP

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 10345 W. Olympic BoulevardCity: Los Angeles State: CA Zip: 90064Telephone: (310) 746-4421 Fax: (310) 746-4499E-Mail Address: samen@elkinskalt.com**2 Name of Person You Want Protection From:**

John Mark Pierce

Description of person you want protection from:

Sex: ☒ M ☐ F Height: 5'10' Weight: 220 Hair Color: Gray Eye Color: BrownRace: Caucasian Age: 47 Date of Birth: 06-27-72Address (if known): 10811 Willowbrae AvenueCity: Chatsworth State: CA Zip: 91311**3 Do you want an order to protect family or household members?** ☒ Yes ☐ No

If yes, list them:

Full Name	Sex	Age	Lives with you?	Relationship to you
Daniel Pierce	M	15	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Son
Jordan Pierce	F	14*	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Daughter
Joshua Pierce	M	11	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Son

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.**4 What is your relationship to the person in (2)? (Check all that apply):**

- a. ☐ We are now married or registered domestic partners.
 b. ☒ We used to be married or registered domestic partners.
 c. ☐ We live together.
 d. ☐ We used to live together.
 e. ☐ We are related by blood, marriage, or adoption (specify relationship): _____
 f. ☐ We are dating or used to date, or we are or used to be engaged to be married.
 g. ☒ We are the parents together of a child or children under 18:

Child's Name: Daniel Pierce Date of Birth: 02-02-04Child's Name: Jordan Pierce Date of Birth: 08-01-05Child's Name: Joshua Pierce Date of Birth: 04-16-08☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Additional Children" for a title.

- h. ☐ We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

If you do not have one of these relationships, the court may not be able to consider your request. Read Form DV-500-INFO for help.

*on August 1, 2019

This is not a Court Order.

Case Number:
BD 639 740**5 Other Restraining Orders and Court Cases**

- a. Are there any restraining/protective orders currently in place OR that have expired in the last six months (emergency protective orders, criminal, juvenile, family)?

☐ No ☒ Yes (date of order): 07-27-19 and (expiration date): 08-02-19 (Attach a copy if you have one).

- b. Have you or any other person named in (3) been involved in another court case with the person in (2)?

☐ No ☒ Yes If yes, check each kind of case and indicate where and when each was filed:

Kind of Case	County or Tribe Where Filed	Year Filed	Case Number (if known)
<input checked="" type="checkbox"/> Divorce, Nullity, Legal Separation	Los Angeles	2016	BD 639 740
<input type="checkbox"/> Civil Harassment			
<input checked="" type="checkbox"/> Domestic Violence	Los Angeles	2016	BD 639 740
<input type="checkbox"/> Criminal			
<input type="checkbox"/> Juvenile, Dependency, Guardianship			
<input type="checkbox"/> Child Support			
<input type="checkbox"/> Parentage, Paternity			
<input type="checkbox"/> Other (specify):			

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.

Check the orders you want. ☒**6 ☒ Personal Conduct Orders**

I ask the court to order the person in (2) not to do the following things to me or anyone listed in (3):

- a. ☒ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements
- b. ☒ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 ☒ Stay-Away Order

- a. I ask the court to order the person in (2) to stay at least 100 yards away from (check all that apply):

☒ Me ☐ My school
☒ My home ☒ Each person listed in (3)
☒ My job or workplace ☒ The child(ren)'s school or child care
☒ My vehicle ☐ Other (specify):

- b. If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? ☒ Yes ☐ No (If no, explain):

8 ☐ Move-Out Order

(If the person in (2) lives with you and you want that person to stay away from your home, you must ask for this move-out order.)

I ask the court to order the person in (2) to move out from and not return to (address):

I have the right to live at the above address because (explain):

This is not a Court Order.

Case Number:
BD 639 740**9 Guns or Other Firearms and Ammunition**

I believe the person in (2) owns or possesses guns, firearms, or ammunition. ☐ Yes ☐ No ☒ I don't know
If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 ☒ Record Unlawful Communications

I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

11 ☐ Care of Animals

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

I ask for the animals to be with me because:

12 ☒ Child Custody and Visitation

- a. ☐ I do not have a child custody or visitation order and I want one.
 b. ☒ I have a child custody or visitation order and I want it changed. (Stipulated Custody in First Further Judgment, which has been signed but not filed).
If you ask for orders, you must fill out and attach Form DV-105, Request for Child Custody and Visitation Orders. You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 ☐ Child Support (Check all that apply):

- a. ☐ I do not have a child support order and I want one.
 b. ☐ I have a child support order and I want it changed.
 c. ☐ I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you must fill out and attach form FL-150, Income and Expense Declaration or Form FL-155, Financial Statement (Simplified).

14 ☐ Property Control

I ask the court to give *only* me temporary use, possession, and control of the property listed here:

15 ☐ Debt Payment

I ask the court to order the person in (2) to make these payments while the order is in effect:

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 ☐ Property Restraint

I am married to or have a registered domestic partnership with the person in (2). I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

17 ☐ Spousal Support

I am married to or have a registered domestic partnership with the person in (2) and no spousal support order exists. I ask the court to order the person in (2) to pay spousal support. (You must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing).

This is not a Court Order.

Case Number:
BD 639 740**18 ☐ Rights to Mobile Device and Wireless Phone Account****a. ☐ Property control of mobile device and wireless phone account**I ask the court to give **only** me temporary use, possession, and control of the following mobile devices:

_____ and the wireless phone account for the

following wireless phone numbers because the account currently belongs to the person in (2):

(including area code): _____	<input type="checkbox"/> my number	<input type="checkbox"/> number of child in my care
(including area code): _____	<input type="checkbox"/> my number	<input type="checkbox"/> number of child in my care
(including area code): _____	<input type="checkbox"/> my number	<input type="checkbox"/> number of child in my care

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Rights to Mobile Device and Wireless Phone Account" for a title.**b. ☐ Debt Payment**

I ask the court to order the person in (2) to make the payments for the wireless phone accounts listed in 18a because: _____

Name of the wireless service provider is: _____ Amount: \$ _____ Due Date: _____

*If you are requesting this order, you must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing.***c. ☐ Transfer of Wireless Phone Account**

I ask the court to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed in 18a to me because the account currently belongs to the person in (2).

*If the judge makes this order, you will be financially responsible for these accounts, including monthly service fees and costs of any mobile devices connected to these phone numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.***19 ☒ Insurance**

I ask the court to order the person in (2) NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in (2), or our child(ren), for whom support may be ordered, or both.

20 ☐ Lawyer's Fees and Costs

I ask that the person in (2) pay some or all of my lawyer's fees and costs.

*You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.***21 ☐ Payments for Costs and Services**

I ask the court to order the person in (2) to pay the following:

You can ask for lost earnings or your costs for services caused directly by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

22 ☒ Batterer Intervention Program

I ask the court to order the person listed in (2) to go to a 52-week batterer intervention program and show proof of completion to the court.

23 ☒ Other Orders

What other orders are you asking for? _____

Respondent's visitation suspended or professionally monitored.☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.**This is not a Court Order.**

Case Number:
BD 639 740**24** ☐ **Time for Service (Notice)**

The papers must be personally served on the person in ② at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read Form DV-200-INFO, "What Is Proof of Personal Service?"

25 **No Fee to Serve (Notify) Restrained Person**

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

26 **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*, for more information.

27 **Describe Abuse**

Describe how the person in ② abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

a. Date of most recent abuse: 07-27-19

1. Who was there? It occurred via text.

2. Describe how the person in ② abused you or your child(ren):

See attached Declaration of Alyze Pierce.

☒ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in ② use or threaten to use a gun or any other weapon? ☒ No ☐ Yes (If yes, describe):

4. Describe any injuries: N/A

5. Did the police come? ☒ No ☐ Yes (I went to the police to file a report).

If yes, did they give you or the person in ② an Emergency Protective Order? ☒ Yes ☐ No ☐ I don't know
Attach a copy if you have one.

The order protects ☒ you or ☒ the person in ②

This is not a Court Order.

Case Number:
BD 639 740**27 Describe Abuse (continued)**

See Declaration of Alyze Pierce.

Has the person in **(2)** abused you (or your child(ren)) other times?

b. Date of abuse: _____

1. Who was there? _____
2. Describe how the person in **(2)** abused you or your child(ren):

☒ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in
- (2)**
- use or threaten to use a gun or any other weapon?
- ☒
- No
- ☐
- Yes (If yes, describe):
-
- _____

4. Describe any injuries: N/A
-
- _____

5. Did the police come?
- ☐
- No
- ☐
- Yes

If yes, did they give you or the person in **(2)** an Emergency Protective Order?☐ Yes ☐ No ☐ I don't know Attach a copy if you have one.The order protects ☐ you or ☐ the person in **(2)**If the person in **(2)** abused you other times, check here ☐ and use Form DV-101, Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.**28 Other Persons to Be Protected**The persons listed in item **(3)** need an order for protection because (describe): _____On July 27, 2019 Respondent sent me dozens of harassing and threatening texts, including but not limited to text stating, "I will fuck u up and ur kind. U have no idea" and "I will be at Armageddon with my children fighting against you." (See Declaration of Alyze Pierce).

- 29**
- Number of pages attached to this form, if any: _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: July 30, 2019

Alyze Pierce

Type or print your name

Date: July 30, 2019

Susannah Braffman Amen

Lawyer's name, if you have one

See signature on accompanying declaration

Sign your name

Lawyer's signature

This is not a Court Order.

DV-105**Request for Child Custody and Visitation Orders**

Case Number:

BD 639 740

This form is attached to DV-100, *Request for Domestic Violence Restraining Order*.Check the orders you want ☒.1 Your name: Alyze Pierce ☒ Mom ☐ Dad ☐ Other*2 Other parent's name: John Pierce ☐ Mom ☒ Dad ☐ Other*

*If Other, specify relationship to child: _____

3 ☒ **Child Custody**

I ask the court for custody as follows:

Legal Custody to: (Person who makes decisions about health, education, and welfare)**Physical Custody to:** (Person you want the child to live with)

Child's Name	Date of Birth	Mom	Dad	Other	Mom	Dad	Other
a. <u>Daniel Pierce</u>	<u>2/2/2004</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <u>Jordan Pierce</u>	<u>8/1/2005</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. <u>Joshua Pierce</u>	<u>4/16/2008</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Child Custody" for a title.4 ☒ **Change Current Court Order**

I want to change a current child custody or visitation court order.

Case Number (if you have it): BD 639 740County: Los Angeles

Explain your current order and why you want a change.

I have sole legal and physical custody. John has visitation.

I request that John's visitation be monitored or suspended. Current custody is per "First Further Judgment", signed by parties and counsel, but not filed in court.

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Change Current Court Order" for a title.5 **Child's Address**

Where has the child in (3)(a) lived for the last 5 years? Give each city and state the child has lived unless it is unknown to the other parent and you want to keep it confidential because of domestic violence or child abuse. Start with where the child lives now and work backwards in time. (If the current address is confidential, check the box below and just provide the current state).

Child (3)(a) addresses (city and state):	Child (3)(a) lived with:	Dates lived there:		
	Mom	Dad	Other	
<input type="checkbox"/> Confidential 4600 Poe Avenue, _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From <u>August 2018</u> to present
<u>Woodland Hills, CA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____ to _____
<u>16215 Morrison St., Sherman Oaks, CA</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From <u>2016</u> to <u>2018</u>
<u>3891 Royal Woods Dr, Sherman Oaks, CA</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	From <u>2008</u> to <u>2016</u>

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Child's Address" for a title.**This is not a Court Order.**

Case Number:

BD 639 740

6 Other Children's Addresses

- ☐ Check here if the other child's (or children's) address information is the same as listed in **(5)**.
- ☐ If it is different, check here. Attach a sheet of paper and write "DV-105, Other Children's Addresses" for a title. List other children's address information, including dates, and name of person child lived with.

7 Other Custody Case

Were you involved in, or do you know of, any other custody case for any child listed in this form?

- ☒ No ☐ Yes If yes, fill out below and attach a copy of any custody or visitation orders if you have them:

- a. Name of each child in other custody case: _____
- b. Type of case: ☐ Parentage (Paternity) ☐ Divorce ☐ Child Support ☐ Guardianship
☐ Juvenile/Dependency ☐ Domestic Violence
☐ Other (specify): _____
- c. I was a ☐ Party ☐ Witness ☐ Other (specify): _____
- d. Court(name): _____
 Address: _____ County: _____ State: _____
- e. Date of court order: _____
- f. Case number (if you have it): _____

8 Other People With or Claiming to Have Custody or Visitation Rights

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? ☒ No ☐ Yes If yes, fill out below:

Name and address of that person: _____

- ☐ Has custody ☐ Claims custody rights ☐ Claims visitation rights

For these children (name of each child): _____

- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Other People With or Claiming Custody or Visitation" for a title.

9 Visitation

I ask the court to order that the person in **(2)** have the following temporary visitation rights:

(Check all that apply)

- a. ☒ No visitation until the hearing (or professionally monitored).
- b. ☒ No visitation after the hearing
- c. ☐ The following visitation ☐ until the hearing ☐ after the hearing
- (1) ☐ **Weekends** (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)
☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month
 from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)
- (2) ☐ **Weekdays** (starting): _____
 from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

This is not a Court Order.



Case Number:

BD 639 740

10 ☐ Other Visitation

Attach a sheet of paper with other visitation days and times, like summer vacation, holidays, and birthdays. List dates and times. Write "DV-105, Visitation" for a title.

11 ☐ Responsibility for Transportation

The parent will take or pick up the child or make arrangements for someone else to do so.

I ask the court to order that:

- ☐ Mom ☐ Dad ☐ Other (name): _____ take children to the visits.
- ☐ Mom ☐ Dad ☐ Other (name): _____ pick up children from the visits.
- ☐ Drop-off / pick-up of children will be at (address): _____
- ☐ Check here if other arrangement. Attach a sheet of paper and write "DV-105, Responsibility for Transportation" for a title.

12 ☒ Supervised Visitation

- a. I ask that the visitation in **(9)** be supervised by

☒ A professional supervisor ☐ A non-professional supervisor ☐ Other _____
Name and telephone number, if known: _____

- b. I ask that the visitation in **(10)** be supervised by

☐ A professional supervisor ☐ A non-professional supervisor ☐ Other _____
Name and telephone number, if known: _____

- c. I ask that any costs for supervision be paid by:

Mom _____% Dad 100% Other (name) _____%

13 ☒ Travel With Children

I ask the court to order that:

☐ Mom ☒ Dad ☐ Other (name): _____ must have written permission from the other parent, or a court order, to take the children outside of:

- ☒ The State of California. ☒ County of: Los Angeles
- ☐ Other place(s) (list): _____

14 ☐ Child Abduction Risk

- ☐ I believe that there is a risk the other parent will take our child out of California and hide the child from me.

If you check this box you must fill out and attach Form DV-108, Request for Order: No Travel with Children.

Important Instructions

You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.

If the court makes a temporary custody order, the parent receiving custody must not take the child out of California without a noticed hearing. (See Family Code §3063.)

This is not a Court Order.

In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

DV-100: RECENT ABUSE**DECLARATION OF ALYZE PIERCE**

I, ALYZE PIERCE, declare as follows:

1. I am the Petitioner in the above-entitled action. I have first-hand personal knowledge of the facts set forth herein, and if called as a witness, I could and would competently testify to the matters stated herein. I submit this Declaration in support of my request for a Domestic Violence Restraining Order against Respondent, John Pierce ("John").

BACKGROUND

2. John is my former husband. John and I have three minor children, Daniel Pierce (age 15), Jordan Pierce (age 14 on August 1, 2019), and Joshua Pierce (age 11). Our Judgment of Dissolution ("Judgment") was entered on October 27, 2016. A true and correct copy of our Judgment of Dissolution is attached hereto as **Exhibit "1"**.

3. Concurrently with the execution of the Judgment, John and I (together with our attorneys of record) executed a First Further Judgment ("First Further Judgment"), which was not filed with the Court for privacy reasons. The First Further Judgment contains the executory terms of our settlement, including custody provisions. The Judgment states that the First Further Judgment cannot be filed with the Court, except for enforcement purposes, and that certain notice requirements must be met before filing it. This Request for Domestic Violence Restraining Orders is not an enforcement issue, and I am making this application without notice to John; thus, I am not attaching the First Further Judgment to my DV-100 as an exhibit. However, upon the Court's request, I will lodge a copy of the First Further Judgment.

4. John had a history of abusing alcohol and drugs, including cocaine, during our marriage. He also had a history of anger management issues. He is a former army captain; he has owned a gun and a cross-bow in the past and may own them now. I obtained a DV-TRO against him in 2016 during our Dissolution case, and he relinquished a gun in connection with the 2016 DV-TRO. A true and correct copy of

ELKINS KALT WEINTRAUB REUBEN GARTSIDE LLP
10345 W. Olympic Blvd.
Los Angeles, California 90064
Telephone: 310.746.4400 • Facsimile: 310.746.4499

8/10/20

In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

1 my 2016 DV-TRO application, the 2016 DV-TRO, and the 2016 Order on Request to
 2 Continue Hearing are attached hereto collectively as **Exhibit "2"**.

3 5. Pursuant to the First Further Judgment, I have sole legal and physical
 4 custody of our children. At or about the time we entered into the First Further
 5 Judgment, John was receiving in-patient treatment at UCLA Psychiatric Hospital,
 6 after sending me emails stating that he was going to kill himself. While John was
 7 being treated at UCLA, someone from the hospital called me to issue a *Tarasoff*
 8 warning, stating that John was expressing an intense desire to kill me. Further details
 9 relating to this incident are set forth in my August 15, 2016 Declaration, which is
 10 contained in **Exhibit "2"**.

11 6. The First Further Judgment specifically provides that John would have
 12 no visitation with the children as long as he was a patient at UCLA Psychiatric
 13 Hospital. It further provided that upon his discharge from UCLA Psychiatric Hospital,
 14 he would have four (4) hours per week of supervised visitation with the children for a
 15 period of nine (9) months. It further stated that following this nine (9) month period of
 16 supervised visitation, John and I would meet and confer regarding his visitation
 17 schedule. Since John's nine (9) months of monitored visitation ended, he and I have
 18 not formally entered into a different custody arrangement. We have been generally
 19 cooperative with each other in informally determining visitation times for John on an
 20 *ad hoc* basis, although our younger children, Jordan and Joshua, have declined to see
 21 him in recent months.

22 **MOST RECENT INCIDENT OF ABUSE**

23 7. The most recent incident of abuse occurred on July 27, 2019. By way of
 24 background, our son, Daniel ("Danny"), is a soccer player and was scheduled to attend
 25 a residential soccer camp at UC Davis next week. John and I had previously agreed
 26 that John would drive Danny to Davis for drop-off at camp. On July 27, 2019 at
 27 approximately 11:27 a.m., John sent me a text message stating that he had to go on a
 28 business trip, which meant that he could not take Danny to camp. John copied his

In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

personal assistant, Lauren Green, and another person, Troy Queen¹, on this text thread (I do not know why). I am unable to take Danny to Davis myself because of my work schedule, so I sent John a text at 12:20 p.m. that day, stating that we could cancel camp, and that it was not a big deal. John responded with a text that stated, "U don't want to fuck with me right now."

8. For the next hour and a half, John texted me over sixty (60) times. His texts were threatening, insulting, full of expletives, and largely non-sensical. For example, he makes numerous references to Armageddon. By way of further example, I am Jewish and John is not, and though I cannot remember a time that I discussed Israel or Judaism with John in years, a large number of his above-referenced texts focus on calling me an anti-Semite and accusing me of not supporting Israel (neither of which is true). I stopped responding to his texts at 12:31 p.m. that day, but he continued texting me, over and over. The following is a sampling of the text messages John sent me on July 27, 2019 during the period from 12:20 p.m. through 1:55 p.m.:

- a. "U dont want to fuck with me right now."
- b. "He is the best freshman that ever lived. Puts u and me to shame. That is for God damn sure. Dont fuck with me right now. I will bury u if I have to." (emphasis added)
- c. "Go watch an AOC rally. Fucking libtard."
- d. "BITCH"
- e. "Valley girl bitch"
- f. "Fuck u forever"
- g. "I will fuck u and ur kind up. U have no idea" (Emphasis added)
- h. "U have no idea what's coming ur way. Time is ticking. Count it down." (Emphasis added)

¹ The nature of John's relationship to Troy Queen is not known to me.

In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

- 1 i. "#armageddon"
- 2 j. "Slut"
- 3 k. "I fucking warned u"
- 4 l. "Good luck sleeping"
- 5 m. "I will fuck with u the rest of ur fucking cursed life"
6 (Emphasis added)
- 7 n. "Bitch"
- 8 o. "Watch Jack Bauer on 24 if ur curious what I'm capable of."
- 9 p. "Valley cunt"
- 10 q. "And guess what if I spent my life juggling a soccer ball I would be
11 better than u. But no, I spend my life protecting the innocent and
12 vulnerable. U are a fucking disgusting whore and I despise u. NEVER.
13 FORGET. THAT. SLUT."
- 14 r. "Valley cunt. U dont even support Israel. Disgusting. I will be at
15 Armageddon with my children fighting against u. U are biblically
16 defined evil. ISRAEL AND AMERICA FOREVER. bitch" (Emphasis
17 added)
- 18 s. "I will find u at Armaggedon and fuck u up. Personally"
19 (Emphasis added)
- 20 t. "And u have decades to wonder how that will play out. I am
21 relentless and I will fuck u up" (Emphasis added)
- 22 u. "I. WILL. FUCK. U. UP. VALLEY. GIRL. WANNABE. HLS.
23 POSER. BITCH."
- 24 v. "And if you wanna test me just lemme know. Anywhere. Anytime.
25 Cunt."
- 26 w. "I cant hear u!!!!????? Cunt"
- 27 x. "What's up. Answer. I CAN. NOT. HEAR. YOU."
- 28 y. "SLUT. SKANK. WHORE. BITCH. CUNT."

In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

1 z. "Do u even know what Armageddon is??? Fucking uneducated
2 moron clueless anti-semite bitch."

3 aa. "It is good vs evil. I am good. U are evil. God is on my side. I
4 will hunt u down and fuck u up." (Emphasis added)

5
6 9. The following morning, John sent a text message on the same thread,
7 stating, "Sorry about all that. Had a bad day yesterday. All good now. Didnt mean any
8 of that." A true and correct copy of the complete, unedited transcript of the above-
9 referenced text thread, including the messages from July 27, 2019 through July 28,
10 2019, is attached hereto as **Exhibit "3"** and incorporated herein by this reference. This
11 transcript came from data that was extracted directly from my cell phone with the
12 assistance of my attorney's IT department (see accompanying Declaration of Jason
13 Lockwood). In **Exhibit "3"**, John's messages are printed in gray and are identified
14 with the name "John Pierce Final" (which is the way his contact information is saved
15 in my cell phone), and my texts to him are printed in green and are identified as
16 "Mommy". The relevant text messages begin in the middle of page 3, but I have
17 attached the entire transcript for completeness.

18 10. Upon receiving these texts from John, I was extremely scared for my
19 safety and the safety of my children. I believe John's text stating, "I will fuck u and
20 ur kind up" (emphasis added) was a threat to harm both me and our children. His
21 text stating, "I will be at Armageddon with my children fighting against u"
22 (emphasis added) also causes me to fear for my safety and the safety of our children.
23 There were multiple other texts messages that directly threatened me. Thus, on July
24 27, 2019, I filed a police report at the Van Nuys Police Department, and I received an
25 Emergency Protective Order ("EPO") that day. A true and correct copy of the EPO is
26 attached hereto as **Exhibit "4"** and incorporated herein by this reference. The EPO
27 expires on August 2, 2019 at 4:00 p.m. I caused John to be served with the EPO on
28

In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

1 July 28, 2019. A true and correct copy of the Proof of Service is attached hereto as
 2 Exhibit "5".

3 11. I continue to be scared for my safety and our children's safety. I have not
 4 slept well in days, and I've been constantly worried. I do not know what caused John
 5 to react to a benign text with such rage. I do not know if he is using drugs again. I do
 6 not know if he is having psychiatric issues again. He has military training and has
 7 owned guns in the past; he may own a gun now. John knows that our children are the
 8 most important thing in the world to me, and I fear that he may harm them in a rageful
 9 state as a means of hurting me.

10 12. I request that the Court issue an order that Respondent have no visitation
 11 with the minor children, or that any visitation be monitored by a professional monitor.

12 I declare under penalty of perjury under the laws of the State of California that the
 13 foregoing is true and correct.

14 Executed July 30, 2019, at Woodland Hills, California.

15
 16 
 17 ALYZE PIERCE

ELKINS KALT WEINTRAUB REUBEN GARTSIDE LLP

10345 W. Olympic Blvd.

Los Angeles, California 90064

Telephone: 310.746.4400 • Facsimile: 310.746.4499

08/10/20

DECLARATION OF JASON LOCKWOOD

I, JASON LOCKWOOD, declare as follows:

1. I am not a party to the above-entitled action. I have personal knowledge of the facts set forth herein, and if called as a witness, I could and would competently testify to the matters stated herein.

2. I am the IT Manager at Elkins Kalt Weintraub Reuben Gartside LLP, Petitioner's attorney of record.

3. On July 29, 2019, at the request of Petitioner's counsel, Susannah Braffman Amen, I met with Petitioner, who gave her cell phone and cell phone password to me. With Petitioner's permission, I attached her cell phone to my office computer, and using a program called iExplorer, I exported all data on her cell phone, thereby creating a back up copy of her cell phone's contents. The data I exported from Petitioner's phone included all text messages on the phone. From this data, I printed a transcript of the entire text thread between Petitioner and 213-500-7339 (identified in Petitioner's phone as Lauren Schaefer Green), 818-918-8329 (identified in Petitioner's phone as John Pierce Final), and 310-484-4514 (not identified by name). A true and correct copy of this transcript is attached hereto as **Exhibit "3"** and incorporated herein by this reference.

4. The top of the first page of **Exhibit "3"** contains the details of the above-referenced export and the phone numbers of the participants on this text thread.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed July 30, 2019, at Los Angeles, California.


JASON LOCKWOOD

08/01/2019

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): GARY FISHBEIN (SBN 93765) BUTER, BUZARD, FISHBEIN & ROYCE LLP 11611 San Vicente Boulevard, Suite 820 Los Angeles, CA 90049-6508 TELEPHONE NO.: 310-820-6700 FAX NO. (Optional): 310-207-4612 E-MAIL ADDRESS (Optional): fishbein@bbfirlaw.com ATTORNEY FOR (Name): Petitioner, Alyze L. Pierce		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles OCT 27 2016 Sherri R. Carter, Executive Officer/Clerk By: Martin Goggerz, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: Same CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District		
MARRIAGE OR PARTNERSHIP OF PETITIONER: ALYZE L. PIERCE RESPONDENT: JOHN M. PIERCE		
JUDGMENT <input checked="" type="checkbox"/> DISSOLUTION <input type="checkbox"/> LEGAL SEPARATION <input type="checkbox"/> NULLITY <input type="checkbox"/> Status only <input type="checkbox"/> Reserving jurisdiction over termination of marital or domestic partnership status <input type="checkbox"/> Judgment on reserved issues Date marital or domestic partnership status ends: 12-25-2016		CASE NUMBER: BD 639740

- ☐ This judgment ☐ contains personal conduct restraining orders ☐ modifies existing restraining orders.
The restraining orders are contained on page(s) _____ of the attachment. They expire on (date): _____
- This proceeding was heard as follows: ☒ Default or uncontested ☐ By declaration under Family Code section 2336
☐ Contested ☐ Agreement in court
 a. Date: _____ Dept.: _____ Room: _____
 b. Judicial officer (name): _____ ☐ Temporary judge
 c. ☐ Petitioner present in court ☐ Attorney present in court (name): _____
 d. ☐ Respondent present in court ☐ Attorney present in court (name): _____
 e. ☐ Claimant present in court (name): _____ ☐ Attorney present in court (name): _____
 f. ☐ Other (specify name): _____
- The court acquired jurisdiction of the respondent on (date): June 24, 2016
 a. ☐ The respondent was served with process.
 b. ☒ The respondent appeared.

THE COURT ORDERS, GOOD CAUSE APPEARING

- a. ☒ Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
 (1) ☒ on (specify date): 12-25-2016
 (2) ☐ on a date to be determined on noticed motion of either party or on stipulation.
 b. ☐ Judgment of legal separation is entered.
 c. ☐ Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): _____

 d. ☐ This judgment will be entered nunc pro tunc as of (date): _____
 e. ☐ Judgment on reserved issues.
 f. The ☐ petitioner's ☐ respondent's former name is restored to (specify): _____
 g. ☐ Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
 h. ☐ This judgment contains provisions for child support or family support. Each party must complete and file with the court a Child Support Case Registry Form (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order (form FL-192) is attached.

CASE NAME (Last name, first name of each party):
Pierce, Alyze L. and John

CASE NUMBER:
BD 639740

4. i. ☒ The children of this marriage or domestic partnership are:

(1) <input checked="" type="checkbox"/> Name	Birthdate
Daniel Pierce	02/02/2004
Jordan Pierce	08/01/2005
Joshua Pierce	04/16/2008

(2) ☐ Parentage is established for children of this relationship born prior to the marriage or domestic partnership

j. ☒ Child custody and visitation (parenting time) are ordered as set forth in the attached

(1) ☒ Settlement agreement, stipulation for judgment, or other written agreement which contains the information required by Family Code section 3048(a). As set forth in the First Further Judgment

(2) ☐ Child Custody and Visitation Order Attachment (form FL-341).

(3) ☐ Stipulation and Order for Custody and/or Visitation of Children (form FL-355).

(4) ☐ Previously established in another case. Case number: _____ Court: _____

k. ☒ Child support is ordered as set forth in the attached

(1) ☒ Settlement agreement, stipulation for judgment, or other written agreement which contains the declarations required by Family Code section 4065(a). As set forth in the First Further Judgment

(2) ☐ Child Support Information and Order Attachment (form FL-342).

(3) ☐ Stipulation to Establish or Modify Child Support and Order (form FL-350).

(4) ☐ Previously established in another case. Case number: _____ Court: _____

l. ☒ Spousal, domestic partner, or family support is ordered:

(1) ☒ Reserved for future determination as relates to ☒ petitioner ☐ respondent

(2) ☒ Jurisdiction terminated to order spousal or partner support to ☐ petitioner ☒ respondent

(3) ☐ As set forth in the attached Spousal, Partner, or Family Support Order Attachment (form FL-343).

(4) ☐ As set forth in the attached settlement agreement, stipulation for judgment, or other written agreement.

(5) ☒ Other (specify): As set forth in the First Further Judgment.

m. ☒ Property division is ordered as set forth in the attached

(1) ☐ Settlement agreement, stipulation for judgment, or other written agreement.

(2) ☐ Property Order Attachment to Judgment (form FL-345).

(3) ☒ Other (specify): As set forth in the First Further Judgment.

n. ☒ Attorney fees and costs are ordered as set forth in the attached

(1) ☐ Settlement agreement, stipulation for judgment, or other written agreement.

(2) ☐ Attorney Fees and Costs Order (form FL-346).

(3) ☒ Other (specify): As set forth in the First Further Judgment.

o. ☒ Other (specify): All other orders as set forth in Pages 1 through 3 of the attached hereto.

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date: _____

JUDICIAL OFFICER

5. Number of pages attached: 3

☒ SIGNATURE FOLLOWS LAST ATTACHMENT

NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar property interest. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

NOTICE OF RIGHTS AND RESPONSIBILITIES
Health-Care Costs and Reimbursement Procedures

**IF YOU HAVE A CHILD SUPPORT ORDER THAT INCLUDES A PROVISION FOR THE
 REIMBURSEMENT OF A PORTION OF THE CHILD'S OR CHILDREN'S HEALTH-CARE COSTS
 AND THOSE COSTS ARE NOT PAID BY INSURANCE, THE LAW SAYS:**

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Disputed charges. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion. If you claim that the other party has failed to reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees and costs against a party who has been unreasonable.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

- a. Burden to prove.** The party claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.
- b. Cost of additional coverage.** If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any party uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the party incurring those costs.

INFORMATION SHEET ON CHANGING A CHILD SUPPORT ORDER

General Information

The court has just made a child support order in your case. This order will remain the same unless a party to the action requests that the support be changed (modified). An order for child support can be modified only by filing a motion to change child support and serving each party involved in your case. If both parents and the local child support agency (if it is involved) agree on a new child support amount, you can complete, have all parties sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350) or *Stipulation and Order (Governmental)* (form FL-625).

When a Child Support Order May Be Modified

The court takes several things into account when ordering the payment of child support. First, the number of children is considered. Next, the net incomes of both parents are determined, along with the percentage of time each parent has physical custody of the children. The court considers both parties' tax filing status and may consider hardships, such as a child of another relationship. An existing order for child support may be modified when the net income of one of the parents changes significantly, the parenting schedule changes significantly, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order open with the local child support agency, you must fill out one of these forms:

- FL-680, *Notice of Motion (Governmental)* or FL-683 *Order to Show Cause (Governmental)* and
- FL-684, *Request for Order and Supporting Declaration (Governmental)*

If you are asking to change a child support order that is **not** open with the local child support agency, you must fill out one of these forms:

- FL-300, *Request for Order* or
- FL-390, *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms:

- FL-150, *Income and Expense Declaration* or FL-155, *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Talk to the family law facilitator at your court.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk will ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form FW-001, *Request to Waive Court Fees*
- Form FW-003, *Order on Court Fee Waiver (Superior Court)*

You must serve the other parent. If the local child support agency is involved, serve it too.

This means someone 18 or over - **not you** - must serve the other parent copies of your filed court forms at least **16 court days** before the hearing. Add **5 calendar days** if you serve by mail within California (see Code of Civil Procedure section 1005 for other situations).

Court days are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to www.courts.ca.gov/holidays.htm.

The server must also serve blank copies of these forms:

- FL-320, *Responsive Declaration to Request for Order* and FL-150, *Income and Expense Declaration*, or
- FL-155, *Financial Statement (Simplified)*

Then the server fills out and signs a *Proof of Service* (form FL-330 or FL-335). Take this form to the clerk and file it.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- FL-340, *Findings and Order After Hearing* and
- FL-342, *Child Support Information and Order Attachment*

Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

MARRIAGE OF PIERCE

LASC CASE NO. BD 639740

1 STATISTICAL INFORMATION

2 The COURT FINDS that the following information has been set forth by the parties:

3 1.1 This Judgment is made by and between Petitioner, Alyze Pierce (hereinafter
4 referred to as "Petitioner") and John Pierce (hereinafter referred to as "Respondent").

5 1.2 Petitioner and Respondent were married on August 14, 1999.

6 1.3 The parties have three minor child from their marriage: Daniel Pierce, born
7 February 2, 2004, age 12; Jordan Pierce, born August 1, 2005, age 11; and Joshua Pierce,
8 born April 16, 2008, age 8 (hereinafter collectively referred to as the "minor children").

9 1.4 Petitioner and Respondent were residents of the County of Los Angeles, State
10 of California, at the time this action was filed and resided continuously in this state and
11 county for a period in excess of six months prior to the filing of the action for dissolution of
12 marriage.

13 1.5 Irreconcilable differences have arisen between the parties which have led to
14 the irremediable breakdown of the marriage, making it impossible for the parties to live
15 together as husband and wife and they have agreed to separate and live permanently apart.
16 The parties' date of separation is May 28, 2012. Petitioner filed a Petition for Dissolution of
17 Marriage on April 25, 2016 in the Superior Court of California, County of Los Angeles, case
18 number BD 639740. Respondent filed a Response to said Petition on June 24, 2016.

2 EXECUTION AND ENTRY OF FIRST FURTHER JUDGMENT

20 2.1 The Court finds that the parties and her/his respective counsel acknowledge
21 that they have, concurrently with their execution of this Judgment, executed two (2) duplicate
22 originals of a First Further Judgment on Reserved Issues (collectively referred to as the "First
23 Further Judgment") pursuant to which the parties have settled all of the remaining issues in
24 these proceedings. The Petitioner shall retain one duplicate original of the First Further
25 Judgment and Respondent shall retain one duplicate original of the First Further Judgment.
26 The parties agree and the Court further finds that the First Further Judgment has not been
27 submitted to the Court for execution and the parties intend and agree that the First Further
28

BUTER, BUZARD, FISHBEIN & ROYCE LLP
 A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 11611 San Vicente Boulevard - Suite 820
 Los Angeles, California 90049-6508
 (310) 820-6700

Judgment shall not be entered by the Court, except if a party seeks to enforce the terms of the First Further Judgment as described herein. The parties agree and the Court orders that the Court retains jurisdiction over the parties to enforce this Judgment and the First Further Judgment until performance in full of the terms of this Judgment and the First Further Judgment.

2.2 If either party determines she or he needs or desires to enforce any of the terms set forth in the First Further Judgment, either Petitioner or Respondent may cause the original executed copy of the First Further Judgment in her or his possession to be filed with the Court in this matter, subject to the notice provisions set forth in paragraph 2.3 herein. Upon such request by either of the parties, the Court shall enter the First Further Judgment.

2.3 Notwithstanding the foregoing, the First Further Judgment shall not be filed with the Court unless the following occurs:

2.3.1 The party seeking to enforce the First Further Judgment or alleging a breach thereon, notifies the other party in writing of the alleged breach,

2.3.2 The breaching party is given ten (10) business days between written notification of the breach and entry of the First Further Judgment, to rectify the breach and comply with the terms of the First Further Judgment; and

2.3.3 The breach has not been cured within the ten (10) business day period.

2.4 The party seeking to have the First Further Judgment entered, after providing notice and an opportunity to cure pursuant to Paragraph 2.3 herein, shall request that the Court seal the First Further Judgment prior to filing same with the Court. If sealing is not permitted by the Court, then said party shall seek to file the First Further Judgment in the most confidential manner possible at the time of said filing.

2.5 If the First Further Judgment is not entered by the Court at the request of one of the parties, for any reason, Petitioner and Respondent shall each be entitled to have the First Further Judgment entered pursuant to the terms of California *Code of Civil Procedure* section 664.6. Petitioner and Respondent each waive Notice of Motion to enter the First Further Judgment pursuant to C.C.P. section 664.6 and agree that said entry of the First

BUTER, BUZARD, FISHBEIN & ROYCE LLP
 A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 11611 San Vicente Boulevard - Suite 820
 Los Angeles, California 90049-6508
 (310) 820-6700

Further Judgment may be made upon ex parte application. The moving party shall provide the other party with fifteen (15) days written notice of her/his intent to enter the First Further Judgment on an ex parte application.

2.6 By executing this Judgment, Petitioner and Respondent each understand, consent, and agree, that the Court shall enter the First Further Judgment pursuant to the terms of the settlement set forth in writing in the First Further Judgment executed by the Petitioner and Respondent outside the presence of the Court as part of the settlement of this matter. The parties further approve, agree, consent, and direct the Court to retain jurisdiction over the parties to enforce the terms and provisions of the Judgment and the First Further Judgment until performance in full of all terms and provisions has been accomplished.

3 This Stipulated Judgment may be executed in duplicate counterparts, each of which shall be considered as an original.

The foregoing is agreed to by:

Dated: 10/14, 2016

Alyze J. Pierce
 ALYZE PIERCE, Petitioner

Dated: 10/8, 2016

John Pierce
 JOHN PIERCE, Respondent

Approved as conforming to the agreement of the parties:

Dated: 10-14, 2016

BUTER, BUZARD, FISHBEIN & ROYCE LLP
 By: [Signature]
 GARY FISHBEIN
 Attorneys for Petitioner, Alyze Pierce

Dated: 10/12, 2016

PHILLIPS JESSNER LLP
 By: [Signature]
 GREGORY JESSNER
 Attorneys for Respondent, John Pierce

Dated: OCT 27 2016, 2016

PATRICK A. CATHCART
 JUDGE OF THE SUPERIOR COURT
PATRICK A. CATHCART

IN RE THE MARRIAGE OF PIERCE
 G:\PIEA\01\Judgment.wpd af

CASE NO. BD 639740
 PAGE 3

JUDGMENT

08/10/2019

DV-116 Order on Request to Continue Hearing

Complete items ①, ②, and ③.

① **Protected Party:**
Alyze L. Pierce② **Restrained Party:**
John M. Pierce③ **Party Seeking Continuance**I am the ☒ Protected Party ☐ Restrained Party
Your Lawyer (if you have one for this case):

Name: GARY FISHBEIN State Bar No.: 93765

Firm Name: BUTER, BUZARD, FISHBEIN & ROYCE LLP

Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: 11611 San Vicente Boulevard, Suite 820

City: Los Angeles State: CA Zip: 90049

Telephone: 310-820-6700 Fax: 310-207-4612 E-Mail Address: fishbein@bbfirlaw.com

The court will complete the rest of this form.

④ **Order on Request for Continuance**

- a. The hearing in this matter is currently scheduled for (date): 4-7-2016
- b. ☐ The request for a continuance is DENIED for the reasons set forth ☐ below ☐ on Attachment 4b.

The hearing shall be held as currently scheduled above. The *Temporary Restraining Order* (Form DV-110) issued on (date): _____ remains in full force and effect until the hearing date.

- c.
- ☒
- The request for a continuance is GRANTED as set forth below.

⑤ **Order Granting Continuance and Notice of New Hearing**The court hearing on the *Request for Domestic Violence Restraining Order* (Form DV-100) is continued to the date, time, and location shown below:

08/10/2020

New Hearing Date	Name and address of court if different from above:	
	Date: <u>9-28-2016</u> Time: <u>8:30am</u>	
	Dept.: <u>83</u> Room: <u>829</u>	
The extended <i>Temporary Restraining Order</i> (form DV-110) expires at the end of this hearing.		

This is a Court Order.

Case Number:
BD 639740

6 Reason for the Continuance

a. The continuance is needed because:

- (1) ☐ The person in (2) was not served before the current hearing date.
 (2) ☐ The parties were referred to child custody mediation or child custody recommending counseling.
 (3) ☐ The person in (2) asked for a first continuance of the hearing.
 (4) ☐ The person in (3) asked for more time to hire a lawyer or prepare for the hearing or trial.
 (5) ☒ Other good cause as stated ☒ below ☐ on Attachment 6a(5).

See DV-115 3(b)(4)

b. ☐ The court finds good cause and orders a continuance in its discretion.

7 Extension of Temporary Restraining Order

- a. ☐ No temporary restraining orders were issued in this case.
 b. ☒ By granting the request to continue the hearing, the orders listed in *Temporary Restraining Order* (form DV-110), issued on (date): 8-16-2016, remain in effect until the end of the hearing in (5).
 c. ☐ The Temporary Restraining Order is MODIFIED. A new *Temporary Restraining Order* (Form DV-110) is issued as of this date. The orders remain in effect until the end of the hearing in (5).
 d. ☐ The Temporary Restraining Order is TERMINATED for the reasons stated ☐ below ☐ on Attachment 7d.

e. Other (specify): _____

Warning and Notice to the Party in (2)

If (7) b or c is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in (5).

8 Other Orders (specify):

☐ Additional orders are included at the end of this order on Attachment 8.

This is a Court Order.

Revised July 1, 2016

Essential
Forms

**Order on Request to Continue Hearing
(Temporary Restraining Order) (CLETS-TRO)**
(Domestic Violence Prevention)

PIERCE, ALYZE L.

DV-116, Page 2 of 3



Case Number:
BD 639740

9 Service of Order

- a. ☐ No further service of this order is required because both parties were present at the hearing when the new hearing date was ordered.
- b. ☒ The court granted the protected party's request to continue the hearing date. A copy of this order must be served on the restrained party at least 5 days before the hearing in (5).
- (1) ☒ All other documents requesting domestic violence restraining orders as shown in Form DV-109, *Notice of Court Hearing* (at item (5)) must also be personally served on the restrained party.
- (2) ☐ The *Temporary Restraining Order* (Form DV-110) has been modified and must be personally served on the restrained party.
- (3) ☐ A copy of the *Temporary Restraining Order* must NOT be served because the order was terminated in 7d.
- c. ☐ The court granted the restrained party's request to continue the hearing date. A copy of this order must be served on the protected party at least _____ days before the hearing in (5). A copy of the *Temporary Restraining Order* (Form DV-110) must be served if it was modified by the court in item (7).
- d. ☐ All documents must be personally served unless otherwise specified below.
- e. ☐ Other (specify): _____

10 No Fee to Serve

If the sheriff or marshal serves this order, he or she will do it for free.

11 CLETS Entry

If the hearing is continued, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLETS).

Date: SEP - 7 2016

Judicial Officer
PATRICK A. CATHCART



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—



I certify that this *Order On Request to Continue Hearing (Temporary Restraining Order)* (CLETS-TRO) is a true and correct copy of the original on file in the court.

Date: SEP - 8 2016 Clerk, by [Signature], Deputy

This is a Court Order.

Revised July 1, 2016

Essential
Forms

**Order on Request to Continue Hearing
(Temporary Restraining Order) (CLETS-TRO)**
(Domestic Violence Prevention)

PIERCE, ALYZE L.

DV-116, Page 3 of 3

DV-115**Request to Continue Hearing**

Use this form to ask the court to change the hearing date listed on form DV-109, Notice of Court Hearing. (Read DV-115-INFO, How to Ask for a New Hearing Date, for more information).

1 Party Seeking Continuance

a. Full Name:

Alyze L. PierceI am the: ☒ Party seeking protection.☐ Restrained Party.

Your Lawyer (if you have one for this case):

Name: GARY FISHBEIN State Bar No.: 93765Firm Name: BUTER, BUZARD, FISHBEIN & ROYCE LLP

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: 11611 San Vicente Boulevard, Suite 820City: Los Angeles State: CA Zip: 90049Telephone: 310-820-6700 Fax: 310-207-4612E-Mail Address: fishbein@bbfirlaw.com**2 Other Party**Full Name: John M. Pierce**3 Request to Continue Hearing**a. I ask the court to continue the hearing currently scheduled for (date): September 7, 2016

b. I request that the hearing be continued because (check any that apply):

- (1) ☒ I could not get the papers served before the hearing date.
 (2) ☐ I am the restrained party, and this is my first request to continue the hearing.
 (3) ☐ I need more time to hire a lawyer or prepare for the hearing or trial.
 (4) ☒ Other good cause as stated ☒ below ☐ on Attachment 3b(4).

Respondent is currently a patient at UCLA Psychiatric Hospital, and I
understand that he intends to remain there until at least the end of
September. I am unable to serve Respondent while he is in the
hospital and understand that he is unable to attend a hearing until
he is released. I have also been in contact with Respondent's attorney of
record, who has received copies of the Temporary Restraining Order and moving
papers, and has confirmed the information set forth herein.

Clerk stamps date here when form is filed.

FILEDSuperior Court of California
County of Los Angeles

SEP - 7 2016

Sherri R. Carter, Executive Officer/Clerk

By Martin Godderz Deputy

Fill in court name and street address:

Superior Court of California, County of
 Los Angeles
 111 North Hill Street
 Same
 Los Angeles, CA 90012
 Central District

Fill in case number:

Case Number:
 BD 639740

This is not a Court Order.

Request to Continue Hearing
(Temporary Restraining Order)
(Domestic Violence Prevention)

DV-115, Page 1 of 2

PIERCE, ALYZE L.

Case Number:

BD 639740

4 Extension of Temporary Restraining Order

- a. ☒ A *Temporary Restraining Order* (Form DV-110) was issued on (date): August 19, 2016.
Please attach a copy of the order if you have one.
- b. Notice: If the hearing date is continued, the *Temporary Restraining Order* (Form DV-110) will remain in effect until the end of the new hearing, unless otherwise ordered by the court.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: 9/5/2016

Ali L. Fishbein

Type or print name of

▶ Ali L. Fishbein
Sign your name

☒ Lawyer ☐ Party Without Lawyer

08/10/2020

DV-110 Temporary Restraining Order

Person in ① must complete items ①, ②, and ③ only.

① Name of Protected Person:Alyze L. Pierce

Your lawyer in this case (if you have one):

Name: GARY FISHBEIN State Bar No.: 93765Firm Name: BUTER, BUZARD, FISHBEIN & ROYCE LLP

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 11611 San Vicente Boulevard, Suite 820City: Los Angeles State: CA Zip: 90049Telephone: 310-820-6700 Fax: 310-207-4612E-mail Address: fishbein@bbfirlaw.com**② Name of Restrained Person:**John M. Pierce

Description of restrained person:

Sex: ☒ M ☐ F Height: 5'11" Weight: 190 Hair Color: Blonde Eye Color: BlueRace: Caucasian Age: 44 Date of Birth: 6/25/72Address (if known): 10811 Willow Brae AvenueCity: Chatsworth State: CA Zip: 91311Relationship to protected person: Husband**③ ☒ Additional Protected Persons**

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

Full name	Relationship to person in ①	Sex	Age
<u>Daniel Pierce</u>	<u>Son</u>	<u>M</u>	<u>12</u>
<u>Jordan Pierce</u>	<u>Daughter</u>	<u>F</u>	<u>11</u>
<u>Joshua Pierce</u>	<u>Son</u>	<u>M</u>	<u>8</u>

☐ Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

④ Court Hearing

This order expires at the end of the hearing stated below:

Hearing Date: 9-7-16 Time: 5:30 ☒ a.m. ☐ p.m.**This is a Court Order.****Temporary Restraining Order****(CLETS-TRO)****(Domestic Violence Prevention)****PIERCE, ALYZE L.**

Case Number:
BD 639740**5 Criminal Protective Order**

a. ☐ A criminal protective order on Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____

b. ☒ No information has been provided to the judge about a criminal protective order.

To the person in ②

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 Personal Conduct Orders ☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:

a. You must not do the following things to the person in ① and ☒ persons in ③:

☒ Harass, attack, strike, threaten, assault (*sexually or otherwise*), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (*on the Internet, electronically or otherwise*), or block movements

☒ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means

☒ Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③.
(If this item is not checked, the court has found good cause not to make this order.)

b. Peaceful written contact through a lawyer or process server or another person for service of Form DV-120 (*Response to Request for Domestic Violence Restraining Order*) or other legal papers related to a court case is allowed and does not violate this order.

c. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 Stay-Away Order ☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:

a. You must stay at least (*specify*): 100 yards away from (*check all that apply*):

☒ The person in ①

☐ School of person in ①

☒ Home of person in ①

☒ The persons in ③

☒ The job or workplace of person in ①

☒ The child(ren)'s school or child care

☒ Vehicle of person in ①

☐ Other (*specify*): _____

b. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 Move-Out Order ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): _____

This is a Court Order.

Case Number: BD 639740

9 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within your immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (You may use Form DV-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.) Bring a court filed copy to the hearing.
- c. ☒ The court has received information that you own or possess a firearm.

10 Record Unlawful Communications

- ☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:
The person in (1) can record communications made by you that violate the judge's orders.

11 Care of Animals ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in (1) is given the sole possession, care, and control of the animals listed below. The person in (2) must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

12 Child Custody and Visitation ☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:

Child custody and visitation are ordered on the attached Form DV-140, Child Custody and Visitation Order or (specify other form): _____. The parent with temporary custody of the child must not remove the child from California unless the court allows it after a noticed hearing (Fam. Code, § 3063).

13 Child Support

Not ordered now but may be ordered after a noticed hearing.

14 Property Control ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Until the hearing, only the person in (1) can use, control, and possess the following property:

15 Debt Payment ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in (2) must make these payments until this order ends:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 Property Restraint ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

If the people in (1) and (2) are married to each other or are registered domestic partners, ☐ the person in (1) ☐ the person in (2) must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (The person in (2) cannot contact the person in (1) if the court has made a "no contact" order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.

Case Number:
BD 639740

17 Spousal Support

Not ordered now but may be ordered after a noticed hearing.

18 Rights to Mobile Device and Wireless Phone Account

a. Property control of mobile device and wireless phone account

☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:

Until the hearing, only the person in (1) can use, control, and possess the following property:

Mobile device (describe) _____ and account (phone number) (310) 883-5690

Mobile device (describe) _____ and account (phone number) (818) 400-5162

Mobile device (describe) _____ and account (phone number) (310) 490-6790

☐ Check here if you need more space. Attach a sheet of paper and write "DV-110 Rights to Mobile Device and Wireless Phone Account" as a title.

b. Debt Payment ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in (2) must make these payments until this order ends:

Pay to (wireless service provider):

Amount: \$

Due date:

c. Transfer of Wireless Phone Account

Not ordered now but may be ordered after a noticed hearing.

19 Insurance

☒ The person in (1) ☒ the person in (2) is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

20 Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

21 Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

22 Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

23 Other Orders ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

☐ Check here if there are additional orders. List them on an attached sheet of paper and write "DV-110, Other Orders" as a title.

24 No Fee to Serve (Notify) Restrained Person

If the sheriff serves this order, he or she will do so for free.

Date: Aug 10 2016

M.D. Fried
Judge (or Judicial Officer)

M.D. FRIED

This is a Court Order.

Case Number: BD 639740

Warnings and Notices to the Restrained Person in ②

If You Do Not Obey This Order, You Can Be Arrested And Charged With a Crime.

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You Cannot Have Guns, Firearms, And/Or Ammunition.



You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in ②. If this address is incorrect, or to find out if the orders were made permanent, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (form FL-155) or an *Income and Expense Declaration* (form FL-150) if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve an *Income and Expense Declaration* (form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

This is a Court Order.

Case Number:
BD 639740

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, §13710(b).)

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001), and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Child Custody and Visitation

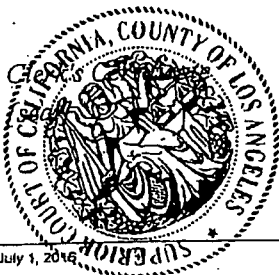
- The custody and visitation orders are on form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- Forms DV-100 and DV-105 are not orders. Do not enforce them.

Certificate of Compliance With VAWA

This temporary protective order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA), upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.

(Clerk will fill out this part.)

-Clerk's Certificate-



I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: AUG 16 2016 Clerk, by [Signature], Deputy

This is a Court Order.

DV-140**Child Custody and Visitation
Order**Case Number:
BD 639740This form is attached to (check one): ☒ DV-110 ☐ DV-130

- ① Name of Protected Person: Alyze L. Pierce ☒ Mom ☐ Dad ☐ Other*
- ② Other Parent's Name: John M. Pierce ☐ Mom ☒ Dad ☐ Other*
- * If Other, specify relationship to child: _____

The Court Orders:

- ③ ☒ Child Custody is ordered as follows:
- | Child's Name | Date of Birth | Legal Custody to: (Person who makes decisions about health, education. Check at least one.) | | | Physical Custody to: (Person the child lives with. Check at least one.) | | |
|-------------------------|-------------------|---|--------------------------|--------------------------|---|--------------------------|--------------------------|
| | | Mom | Dad | Other* | Mom | Dad | Other* |
| a. <u>Daniel Pierce</u> | <u>02/02/2004</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. <u>Jordan Pierce</u> | <u>08/01/2005</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. <u>Joshua Pierce</u> | <u>04/16/2008</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- ☐ If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.
- * If Other, specify relationship to child and name of person: _____

- ④ ☒ Child Visitation is ordered as follows: Until the Court Hearing!
- a. ☒ No visitation to ☐ Mom ☐ Dad ☒ Other (name): _____
- b. ☐ See the attached _____ - page document, dated: _____
- c. ☐ The parties must go to mediation at: _____
- d. ☐ Until the next court order, visitation for ☐ Mom ☐ Dad ☐ Other (name): _____ will be:
- (1) ☐ Weekends (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)
- ☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month
- from _____ at _____ a.m. ☐ p.m. to _____ at _____ a.m. ☐ p.m.
- (day of week) (time) (day of week) (time)
- (2) ☐ Weekdays (starting): _____
- from _____ at _____ a.m. ☐ p.m. to _____ at _____ a.m. ☐ p.m.
- (day of week) (time) (day of week) (time)
- (3) ☐ Other Visitation
- Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV-140, Other Visitation" for a title.

- ⑤ ☐ Supervised Visitation or Exchange
- Visits and/or exchanges of children are supervised as specified on Form DV-150, *Supervised Visitation and Exchange Order*.

This is a Court Order.

Case Number:
BD 639740

6 ☐ Responsibility for Transportation for Visitation

"Responsibility for transportation" means the parent will take or pick up the child or make arrangements for someone else to do so.

- a. ☐ Mom ☐ Dad ☐ Other (name): _____ take children to the visits.
 b. ☐ Mom ☐ Dad ☐ Other (name): _____ pick up children from the visits.
 c. ☐ Drop-off/pick-up of children will be at (address): _____

7 ☒ Travel With Children

☐ Mom ☐ Dad ☒ Other (name): _____ must have written permission from the other parent, or a court order, to take the children outside of:

- a. ☒ The State of California
 b. ☐ The United States of America
 c. ☒ Other place(s) (list): Los Angeles County

8 ☐ Child Abduction

There is a risk that one of the parents will take the children out of California without the other parent's permission. ☐ The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

9 ☐ Other Orders

Check here and attach any other orders to this form. Write "DV-140, Other Orders" as a title.

10 Jurisdiction

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with § 3400).

11 Notice and Opportunity to Be Heard

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

12 Country of Habitual Residence

The country of habitual residence of the child or children in this case is ☐ The United States of America or ☐ Other (specify): _____

13 Penalties for Violating This Order

If you violate this order, you may be subject to civil or criminal penalties, or both.

14 Duration of Child Custody, Visitation, and Support Orders

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on Form DV-130 end.

This is a Court Order.

DV-100**Request for Domestic
Violence Restraining Order**

You must also complete Form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

Clerk stamps date here when form is filed.

CONFORMED COPYORIGINAL FILED
Superior Court of California
County of Los Angeles

AUG 16 2016

Sherri R. Carter, Executive Officer/Clerk
By: Manuel Almeida, Deputy

Fill in court name and street address:

Superior Court of California, County of
Los Angeles
111 North Hill Street
Same
Los Angeles, CA 90012
Central District

Court fills in case number when form is filed.

Case Number:
BD 639740**1 Name of Person Asking for Protection:**

Alyze Pierce Age: 41

Your lawyer in this case (if you have one):

Name: GARY FISHBEIN State Bar No.: 93765

Firm Name: BUTER, BUZARD, FISHBEIN & ROYCE LLP

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 11611 San Vicente Boulevard, Suite 820

City: Los Angeles State: CA Zip: 90049

Telephone: 310-820-6700 Fax: 310-207-4612

E-Mail Address: fishbein@bbfmlaw.com

2 Name of Person You Want Protection From:

John M. Pierce

Description of person you want protection from:

Sex: ☒ M ☐ F Height: 5'11" Weight: 190 Hair Color: Blonde Eye Color: Blue

Race: Caucasian Age: 44 Date of Birth: 6/25/1972

Address (if known): 10811 Willow Brae Avenue

City: Chatsworth State: CA Zip: 91311

3 Do you want an order to protect family or household members? ☒ Yes ☐ No

If yes, list them:

Full Name	Sex	Age	Lives with you?	Relationship to you
Daniel Pierce	M	12	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Son
Jordan Pierce	F	11	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Daughter
Joshua Pierce	M	8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Son

Daniel Pierce

Jordan Pierce

Joshua Pierce

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.**4 What is your relationship to the person in (2)? (Check all that apply):**a. ☒ We are now married or registered domestic partners.b. ☐ We used to be married or registered domestic partners.c. ☐ We live together.d. ☒ We used to live together.e. ☐ We are related by blood, marriage, or adoption (specify relationship):f. ☐ We are dating or used to date, or we are or used to be engaged to be married.g. ☒ We are the parents together of a child or children under 18:

Child's Name: Daniel Pierce Date of Birth: 2/2/2004

Child's Name: Jordan Pierce Date of Birth: 8/1/2005

Child's Name: Joshua Pierce Date of Birth: 4/16/2008

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Additional Children" for a title.h. ☐ We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

If you do not have one of these relationships, the court may not be able to consider your request. Read Form DV-500-INFO for help.

This is not a Court Order.

Case Number:
BD 639740**5 Other Restraining Orders and Court Cases**

- a. Are there any restraining/protective orders currently in place OR that have expired in the last six months (emergency protective orders, criminal, juvenile, family)?
☒ No ☐ Yes (date of order): _____ and (expiration date): _____ (Attach a copy if you have one).
- b. Have you or any other person named in (3) been involved in another court case with the person in (2)?
☐ No ☒ Yes If yes, check each kind of case and indicate where and when each was filed:
- | Kind of Case | County or Tribe Where Filed | Year Filed | Case Number (if known) |
|--|-----------------------------|------------|------------------------|
| <input checked="" type="checkbox"/> Divorce, Nullity, Legal Separation | Los Angeles | 2016 | BD 639740 |
| <input type="checkbox"/> Civil Harassment | | | |
| <input type="checkbox"/> Domestic Violence | | | |
| <input type="checkbox"/> Criminal | | | |
| <input type="checkbox"/> Juvenile, Dependency, Guardianship | | | |
| <input type="checkbox"/> Child Support | | | |
| <input type="checkbox"/> Parentage, Paternity | | | |
| <input type="checkbox"/> Other (specify): _____ | | | |
- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.

Check the orders you want. ☒**6 ☒ Personal Conduct Orders**

I ask the court to order the person in (2) not to do the following things to me or anyone listed in (3):

- a. ☒ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements
- b. ☒ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 ☒ Stay-Away Ordera. I ask the court to order the person in (2) to stay at least 100 yards away from (check all that apply):

- ☒ Me ☐ My school
☒ My home ☒ Each person listed in (3)
☒ My job or workplace ☒ The child(ren)'s school or child care
☒ My vehicle ☐ Other (specify): _____

- b. If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? ☒ Yes ☐ No (If no, explain): _____

8 ☐ Move-Out Order

(If the person in (2) lives with you and you want that person to stay away from your home, you must ask for this move-out order.)

I ask the court to order the person in (2) to move out from and not return to (address): _____

I have the right to live at the above address because (explain): _____

This is not a Court Order.

Case Number:
BD 639740

9 Guns or Other Firearms and Ammunition

I believe the person in (2) owns or possesses guns, firearms, or ammunition. ☒ Yes ☐ No ☐ I don't know

If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 ☒ Record Unlawful Communications

I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

11 ☐ Care of Animals

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

I ask for the animals to be with me because:

12 ☒ Child Custody and Visitation

- a. ☒ I do not have a child custody or visitation order and I want one.
b. ☐ I have a child custody or visitation order and I want it changed.

If you ask for orders, you must fill out and attach Form DV-105, Request for Child Custody and Visitation Orders. You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 ☐ Child Support (Check all that apply):

- a. ☐ I do not have a child support order and I want one.
b. ☐ I have a child support order and I want it changed.
c. ☐ I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you must fill out and attach form FL-150, Income and Expense Declaration or Form FL-155, Financial Statement (Simplified).

14 ☐ Property Control

I ask the court to give *only* me temporary use, possession, and control of the property listed here:

15 ☐ Debt Payment

I ask the court to order the person in (2) to make these payments while the order is in effect:

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 ☐ Property Restraint

I am married to or have a registered domestic partnership with the person in (2). I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

17 ☐ Spousal Support

I am married to or have a registered domestic partnership with the person in (2) and no spousal support order exists. I ask the court to order the person in (2) to pay spousal support. *(You must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing).*

This is not a Court Order.

Case Number: BD 639740

18 ☒ Rights to Mobile Device and Wireless Phone Account**a. ☒ Property control of mobile device and wireless phone account**

I ask the court to give only me temporary use, possession, and control of the following mobile devices:

Verizon and the wireless phone account for the

following wireless phone numbers because the account currently belongs to the person in (2):

(including area code): <u>(310) 883-5690</u>	<input checked="" type="checkbox"/> my number	<input type="checkbox"/> number of child in my care
(including area code): <u>(818) 400-5162</u>	<input type="checkbox"/> my number	<input checked="" type="checkbox"/> number of child in my care
(including area code): <u>(310) 490-6790</u>	<input type="checkbox"/> my number	<input checked="" type="checkbox"/> number of child in my care

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Rights to Mobile Device and Wireless Phone Account" for a title.

b. ☐ Debt Payment

I ask the court to order the person in (2) to make the payments for the wireless phone accounts listed in 18a because:

Name of the wireless service provider is: _____ Amount: \$ _____ Due Date: _____
If you are requesting this order, you must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing.

c. ☐ Transfer of Wireless Phone Account

I ask the court to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed in 18a to me because the account currently belongs to the person in (2).

If the judge makes this order, you will be financially responsible for these accounts, including monthly service fees and costs of any mobile devices connected to these phone numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

19 ☒ Insurance

I ask the court to order the person in (2) NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in (2), or our child(ren), for whom support may be ordered, or both.

20 ☒ Lawyer's Fees and Costs

I ask that the person in (2) pay some or all of my lawyer's fees and costs.

You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.

21 ☐ Payments for Costs and Services

I ask the court to order the person in (2) to pay the following:

You can ask for lost earnings or your costs for services caused directly by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

22 ☐ Batterer Intervention Program

I ask the court to order the person listed in (2) to go to a 52-week batterer intervention program and show proof of completion to the court.

23 ☐ Other Orders

What other orders are you asking for? _____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.

This is not a Court Order.

Case Number: BD 639740

24 ☐ Time for Service (Notice)

The papers must be personally served on the person in (2) at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read Form DV-200-INFO, "What Is Proof of Personal Service?"

25 No Fee to Serve (Notify) Restrained Person

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

26 Court Hearing

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*, for more information.

27 Describe Abuse

Describe how the person in (2) abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

a. Date of most recent abuse: 8/13/2016

1. Who was there? See attached Declaration

2. Describe how the person in (2) abused you or your child(ren):

See attached Declaration

☒ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in (2) use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe):

See attached Declaration

4. Describe any injuries: See attached Declaration

5. Did the police come? ☐ No ☐ Yes

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know
Attach a copy if you have one.

The order protects ☐ you or ☐ the person in (2)

This is not a Court Order.

Case Number:
BD 639740**27 Describe Abuse (continued)**

Has the person in (2) abused you (or your child(ren)) other times?

b. Date of abuse: _____

1. Who was there? _____
2. Describe how the person in (2) abused you or your child(ren):

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in (2) use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe):

4. Describe any injuries: _____

5. Did the police come? ☐ No ☐ Yes

If yes, did they give you or the person in (2) an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know Attach a copy if you have one.
The order protects ☐ you or ☐ the person in (2)

If the person in (2) abused you other times, check here ☐ and use Form DV-101, Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.

28 Other Persons to Be Protected

The persons listed in item (3) need an order for protection because (describe): _____


See attached Declaration.

_____**29 Number of pages attached to this form, if any: 3**

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: August 15, 2016
Alyze Pierce
Type or print your name
Date: August 15, 2016
GARY FISHBEIN (SBN 93765)
Lawyer's name, if you have one

▶ See attached signature
Sign your name

▶ 
Lawyer's signature

This is not a Court Order.

Case Number:
BD 639740**27 Describe Abuse (continued)**Has the person in **(2)** abused you (or your child(ren)) other times?

b. Date of abuse: _____

1. Who was there? _____

2. Describe how the person in **(2)** abused you or your child(ren):

_____☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.3. Did the person in **(2)** use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe):
_____4. Describe any injuries: _____
_____5. Did the police come? ☐ No ☐ YesIf yes, did they give you or the person in **(2)** an Emergency Protective Order?☐ Yes ☐ No ☐ I don't know Attach a copy if you have one.The order protects ☐ you or ☐ the person in **(2)**If the person in **(2)** abused you other times, check here ☐ and use Form DV-101, Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.**28 Other Persons to Be Protected**The persons listed in item **(3)** need an order for protection because (describe): _____See attached Declaration.

_____**29** Number of pages attached to this form, if any: 3

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: August 15, 2016Alyze Pierce

Type or print your name

Sign your name

Date: August 15, 2016GARY FISHBEIN (SBN 93765)

Lawyer's name, if you have one

See attached signature

Lawyer's signature

This is not a Court Order.

Revised July 1, 2016

Essential
Forms**Request for Domestic Violence Restraining Order**
(Domestic Violence Prevention)

DV-100, Page 6 of 6

PIERCE, ALYZE L.

DECLARATION OF ALYZE L. PIERCE

I, ALYZE L. PIERCE, declare as follows:

I am the Petitioner in the above-entitled action. I know the following of my own knowledge and could testify competently thereto if called upon as a witness to do so. I make this Declaration in support of my Request for Temporary Restraining Order filed herewith.

STATISTICAL INFORMATION

1. Respondent and I have three children from our marriage, DANIEL (age 12), JORDAN (age 11), and JOSHUA (age 8). I filed a Petition for Dissolution of Marriage on April 25, 2016 and Respondent executed a Notice and Acknowledgment of Receipt on May 24, 2016.

FACTS RELATING TO CURRENT ABUSE

2. On August 13, 2016, at 10:45 a.m., I received an email from Respondent, stating: "I had to check into UCLA. I am suicidal. I put 40K in joint account. My dad and lawyers and Steve will have to liquidate retirement funds there is like 700K you can have it all to pay 2014 taxes and there will be some left over. My parents will help with the kids. I love my children. I will sign whatever power of attorney or legal documents anyone wants. I cannot handle life or society anymore." A copy of this email is attached hereto, marked **Exhibit 1**, and incorporated herein by this reference.

3. Later that day, at approximately 2:30 p.m., I received a phone call from the ER doctor at UCLA, informing me that Respondent had been admitted to the Hospital and that Respondent was expressing an intense desire to kill me. The ER doctor told me he was calling to issue a *Tarasoff* warning and that the phone call was being documented in the UCLA log. I was told that Respondent was placed on a mandatory 3-day hold and that the police were called. I was in shock, and was unable to request details from the employee, such as which police station was contacted, the name of the employee I was speaking to, etc.

4. I spoke with Respondent's nurse at 10:00 a.m. on Monday, August 15, 2016. She confirmed that my conversation with the ER doctor was kept in the UCLA log, and that

BUTER, BUZARD, FISHBEIN & ROYCE LLP
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
11611 San Vicente Boulevard - Suite 820
Los Angeles, California 90049-6508
(310) 820-6700

BUTER, BUZARD, FISHBEIN & ROYCE LLP
 A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 11611 San Vicente Boulevard - Suite 820
 Los Angeles, California 90049-6508
 (310) 820-6700

1 the LAPD Mental Evaluation Unit was called on August 13. A police report was filed, Report
 2 Number 5675309, which I am in the process of obtaining. I was also informed that
 3 Respondent now denies ever threatening to kill me.

4 5. On Sunday, August 14, 2016, I had a telephone call with Respondent's father.
 5 He informed me that Respondent would be leaving the hospital soon, and that all he wanted
 6 was to see our children. When I told Respondent's father that I was glad Respondent was
 7 feeling better, he told me that this was all my fault, and this would not have occurred if I had
 8 taken better care of Respondent.

9 6. Between August 11, 2016 and August 13, 2016, I noticed Respondent
 10 exercising increasingly erratic and aggressive behavior. In those three days, he called,
 11 texted, or emailed me no less than 30 times. I answered the phone three times, and each
 12 time I answered, he screamed at me, shouting obscenities and threats. He told me that he
 13 could not handle life anymore, that I was to blame and that if his life was destroyed, he would
 14 make sure to destroy the lives of me and our children. He told me that he has nothing, there
 15 is no place for him to go, and that society has thrown him away. Examples of the emails I
 16 received are attached hereto, marked **Exhibit 2**, and incorporated herein by this reference.

17 7. In May 2016, Respondent lost his job at K&L Gates for physically assaulting
 18 another employee. Respondent detached his retina during the altercation. It was believed
 19 that the altercation was a result of Respondent's drug and alcohol abuse, and so
 20 arrangements were made for Respondent to check-in to rehab at Promises Facility.
 21 Respondent refused to go.

22 REQUEST FOR CHILD CUSTODY ORDERS

23 8. Based upon the foregoing incident, Respondent's hospital stay, and
 24 Respondent's behavior during his most recent visits with the children, I am concerned that
 25 he is too unstable and erratic at this time to be able to care for the children.

26 9. Respondent has not seen our children since July 16, 2016. On that date, the
 27 visit lasted approximately 3 hours. Between January and July 2016, he saw them once
 28 every 3-4 weeks, for 4-5 hours at a time. He had one overnight with the children in January

BUTER, BUZARD, FISHBEIN & ROYCE LLP
 A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 11611 San Vicente Boulevard - Suite 820
 Los Angeles, California 90049-6508
 (310) 820-6700

2016, and has not had an overnight since. He failed to call Joshua on his birthday this year and he did not attend Daniel's elementary school graduation.

10. During their most recent visits, Respondent slept for most of the time and left the children unattended. His house was unkempt, with alcohol bottles and cans of tobacco lying about. Respondent complained of being tired throughout the visits and did not change his clothes. The children told me that they are scared to be with Respondent.

11. In May 2016, the children and I had to leave our house in Sherman Oaks because of toxic mold. Respondent was working in San Francisco, and offered to let us use his home while we looked for a new place. I filed the Petition for Dissolution later that month, and when Respondent received it, he called me to tell me that the children and I needed to vacate the home by midnight, or he would call the sheriff and have us thrown out. I put all of our belongings in garbage bags and moved them to my mother's house that afternoon.

12. I do not know when Respondent is leaving the hospital. I am concerned for our safety, and a restraining order is necessary to ensure that Respondent does not harm me or our children.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 15, 2016, at Los Angeles, California.

See attached signature

ALYZE L. PIERCE

BUTER, BUZARD, FISHBEIN & ROYCE LLP
 A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 11611 San Vicente Boulevard - Suite 820
 Los Angeles, California 90049-6508
 (310) 820-6700

1 2016, and has not had an overnight since. He failed to call Joshua on his birthday this year
 2 and he did not attend Daniel's elementary school graduation.

3 10. During their most recent visits, Respondent slept for most of the time and left
 4 the children unattended. His house was unkempt, with alcohol bottles and cans of tobacco
 5 lying about. Respondent complained of being tired throughout the visits and did not change
 6 his clothes. The children told me that they are scared to be with Respondent.

7 11. In May 2016, the children and I had to leave our house in Sherman Oaks
 8 because of toxic mold. Respondent was working in San Francisco, and offered to let us use
 9 his home while we looked for a new place. I filed the Petition for Dissolution later that month,
 10 and when Respondent received it, he called me to tell me that the children and I needed to
 11 vacate the home by midnight, or he would call the sheriff and have us thrown out. I put all
 12 of our belongings in garbage bags and moved them to my mother's house that afternoon.

13 12. I do not know when Respondent is leaving the hospital. I am concerned for our
 14 safety, and a restraining order is necessary to ensure that Respondent does not harm me
 15 or our children.

16 I declare under penalty of perjury under the laws of the State of California that the
 17 foregoing is true and correct.

18
 19 Executed on August 15, 2016, at Los Angeles, California.

20
 21 
 22 ALYZE L. PIERCE

23
 24
 25
 26
 27
 28
 IN RE THE MARRIAGE OF PIERCE

D:\Cint\TRO.8.15.16.wpd af

CASE NO. BD 639740

PAGE 3

DECLARATION OF ALYZE L. PIERCE

Ali Fishbein

From: Ali Fishbein <afishbein@bbfrlaw.com>
Sent: Monday, August 15, 2016 10:33 AM
To: afishbein@bbfrlaw.com
Subject: FW:

From: John Pierce <jpierce3458@gmail.com>
Date: August 13, 2016 at 10:45:32 AM PDT
To: "Ms. Alyze L. Pierce" <alyzepierce@sbcglobal.net>

I had to check into UCLA. I am suicidal. I put 40K in joint account. My dad and lawyers and Steve will have to liquidate retirement funds there is like 700K you can have it all to pay 2014 taxes and there will be some left over. My parents will help with kids. I love my children. I will sign whatever power of attorney or legal documents anyone wants. I cannot handle life or society anymore.

Ali Fishbein

From: Ali Fishbein <afishbein@bbfrlaw.com>
Sent: Monday, August 15, 2016 10:33 AM
To: afishbein@bbfrlaw.com
Subject: FW: Important: Verizon

From: Alyze Pierce [mailto:alyzepierce@sbcglobal.net]
Sent: Monday, August 15, 2016 10:17 AM
To: Ali Fishbein <afishbein@bbfrlaw.com>
Subject: Fwd: Important: Verizon

From: John Pierce <jpierce3458@gmail.com>
Date: August 8, 2016 at 4:10:44 PM PDT
To: Alyze Pierce <alyzepierce@sbcglobal.net>
Subject: Re: Important: Verizon

we have to talk asap my whole life has collapsed we have to work collaboratively to minimize harm to kids in the long run. i may have to move away. i am sorry for everything i never intended to harm anyone i just never grew up. i have always loved u more than u can imagine. i just want to sleep

On Mon, Aug 8, 2016 at 12:49 PM, Alyze Pierce <alyzepierce@sbcglobal.net> wrote:

I need to add Jordan's phone number. You will get an email from Verizon to reset password. Please forward me email

New password: Pierce1

Sent from my iPhone

Ali Fishbein

From: Ali Fishbein <afishbein@bbfrlaw.com>
Sent: Monday, August 15, 2016 10:33 AM
To: afishbein@bbfrlaw.com
Subject: FW: My advice. Read

From: John Pierce <jpierce3458@gmail.com>
Date: August 10, 2016 at 3:17:12 PM PDT
To: "Ms. Alyze L. Pierce" <alyzepierce@sbcglobal.net>
Subject: Re: My advice. Read

I have to go to hospital my emotions are out of control. I will have lawyer and Steve start getting things ready to take care of 2014 taxes to make sure you are off hook. Please make sure the children know how very much I love and adore them.

On Aug 10, 2016 9:42 AM, "Alyze Pierce" <alyzepierce@sbcglobal.net> wrote:

For what it is worth here is my advice:

1. Contact Joe and have him do 1 year lease on chats worth property: get it to at least cover mortgage and other related expenses plus cost of property management company. Have property management company handle everything. So lease price should cover all mortgage, maintenance costs and property management company costs
2. Interview with DLA Piper
3. Set up meeting with Lacher. This is crucial. Give him every detail of every financial debt, asset, hide nothing. Come up with way (work with IRS, etc) to pay remainder of 2014 taxes and your 2015 and 2016 taxes (I paid my own 2015 and 2016 separately and used Steve)
4. Move back to Erie: get your life figured out. Your parents can take care of you. All you have to focus on is getting well and finding a job! It is not too late for you but sitting around feeling hopeless won't get you anywhere

I will always care about you but this is my honest advice
Pz

Sent from my iPhone

Ali Fishbein

From: Ali Fishbein <afishbein@bbfrlaw.com>
Sent: Monday, August 15, 2016 10:33 AM
To: afishbein@bbfrlaw.com
Subject: FW: Liquidating funds

From: John Pierce <jpierce3458@gmail.com>
Date: August 12, 2016 at 12:21:43 PM PDT
To: "Ms. Alyze L. Pierce" <alyzepierce@sbcglobal.net>
Subject: Re: How are you

Alyze I am in extreme distress. U are spending my money and I am handling the debt. Forget the Iras but the Latham is mine anyways as separate property. Pls call me it is emergency

On Aug 12, 2016 12:10 PM, "Alyze Pierce" <alyzepierce@sbcglobal.net> wrote:

You want me to sign away all of my retirement funds. Why don't you liquidate yours first and then we will see about mine

Sent from my iPhone

On Aug 12, 2016, at 12:04 PM, John Pierce <jpierce3458@gmail.com> wrote:

Not good day by day trying to prevent depths of despair. When can u sign and notarize Latham pension plan docs and ira distribution forms? Desperately need for living expenses and to prepare to hang out shingle if can't get law firm soon. We have to minimize every expense I beg u

On Aug 12, 2016 11:33 AM, "Alyze Pierce" <alyzepierce@sbcglobal.net> wrote:

Sent from my iPhone

08/01/2019

Chat with Lauren Schaefer Green, John Pierce & +1 310-484-4514

6/22/2019 6:11:09 AM - 7/28/2019 9:21:20 AM

Export Details:

Device Phone Number +1 (310) 883-5690

Device Name Alyze's iPhone

Device ID 00008020-000230513E06002E

Backup Date Monday, July 29, 2019 2:23 PM

Backup Directory C:\Users\jwl\AppData\Roaming\Apple Computer\MobileSync\Backup\00008020-000230513E06002E

iOS 12.3.1

Current Time Zone (UTC-08:00) Pacific Time (US & Canada)

Created with iExplorer v4.3.0.0

Participants:

+1 213-500-7339, Lauren Schaefer Green

+1 818-918-8328, John Pierce Final

+1 310-484-4514

See pages
3-9

Saturday, June 22, 2019

John Pierce Final

Troy can u pls work with Jim and whoever in firm and insurer to get this done ASAP thx

6:11 AM

JF

John Pierce Final

<https://www.linkedin.com/feed/update/urn:li:activity:6548183511919140864>

6:11 AM

JF

Mommy

Pls. I have sent it at least 3 times to Jim. This is ridiculous. It is thousands of dollars. Lauren: you have everything. I can send again if you need me to

6:14 AM

Mommy

Meaning, Lauren: I know this is Jim's job. I can send the receipts again but I need to get reimbursed

6:14 AM

06/22/2019 6:11:09 AM

John Pierce Final

We all need to communicate with each other, including Jim. Just like with PB, Talon LF, and LawyerUp, no silos on the personal front either. Thx team

6:16 AM

JF

+1 310-484-4514

Yes. I'll circle with everyone and have update on Monday. Thx

6:21 AM



John Pierce Final

JF

Thx big fella!

6:21 AM

Mommy

Thank you. It is just a lot of \$. Let me know if you need anything from me. Jim
Has everything but he went MIA

6:23 AM

+1 310-484-4514



I'll shake everything loose and update on Monday

6:26 AM

Mommy

Thanks so much. Have a great weekend

6:26 AM

+1 310-484-4514



You as well

6:36 AM

John Pierce Final

JF

Alyzee what is kid status are they all at camp tika

6:43 AM

John Pierce Final

JF

LSG, Tom W will be at bfast with Navaid at 8 am too

6:44 AM

John Pierce Final

JF

Then TW and me coming back to house to talk shop on Talon, PB and LawyerUp. U should def come with

6:48 AM

Mommy

Danny and josh still at camp. Jordan at home

7:02 AM

John Pierce Final

JF

Cool. I am flying back to NY tmrw.

7:08 AM

08/01/2019

Lauren Schaefer Green

Alyze, i don't have anything that you haven't sent to Jim already. and Troy has taken over handling. they're both very easy to reach at all times. sounds like Troy and Jim will handle Monday.

9:19 AM

Lauren Schaefer Green

have a good weekend.

9:19 AM

Mommy

I copied u on all the emails I sent to Jim. Whatever is needed let me know. I just need to be reimbursed. Have a good weekend

10:50 AM

Wednesday, July 17, 2019

Mommy

Hi! Can you pls make sure to bring 12 plain bagels (from grocery store) and also a pack of 48 waters to Stanford. Also give Danny \$50 for night pizza and snacks

6:06 AM

Lauren Schaefer Green

John- resent you all the info last night. let me know you got it. and if Troy is still staying there with you, maybe he can print the Stanford agenda packet (4pgs).

7:38 AM

Saturday, July 27, 2019

John Pierce Final

Alyze, I have to go to the East Coast Tuesday nite for some mission critical law firm stuff in NY and Boston. Likely back early the following week. So wont be able to do any soccer stuff for Danny boy during that time range

11:27 AM

Mommy

He has a camp August 2-4. I can't take him

12:17 PM

Mommy

I can cancel but will lose the \$

12:17 PM

John Pierce Final

Okay well we need to figure out how about ur mom.

12:18 PM

John Pierce Final

Or I can have my parents or Lon come out and take him

12:18 PM

John Pierce Final

We are not canceling his soccer camp. Period.

12:19 PM

08/01/2019

John Pierce Final

If I have to I will cancel my trip. We are not canceling Daniel's soccer. Dont even try it.

12:19 PM

JF

Mommy

It's not a big deal. He doesn't even want to go. It's like \$200

12:20 PM

John Pierce Final

U dont want to fuck with me right now.

12:20 PM

JF

Mommy

It's UC davis. He is only a freshman

12:20 PM

John Pierce Final

I will talk with him. Stop texting me.

12:20 PM

JF

John Pierce Final

He is the best freshman that ever lived. Puts u and me to shame. That is for God damn sure. Dont fuck with me right now. I will bury u if I have to.

12:22 PM

JF

John Pierce Final

Go watch an AOC rally. Fucking libtard.

12:24 PM

JF

John Pierce Final

U cancel that u can work on the street for the rest of ur life like u should. Or beg me for money the way u already do.

12:26 PM

JF

John Pierce Final

U are quite literally the most non-multidimensional, monochromatic, ungrateful bitch I ever met. Ur Oma would be ashamed of u for supporting neo-Nazi liberals.

12:29 PM

JF

John Pierce Final

U know zero about Israel. It is absolutely pathetic.

12:30 PM

JF

John Pierce Final

P.A.T.H.E.T.I.C.

12:30 PM

JF

Mommy

What? I was busy saying he didn't want to go. I didn't say he wasn't great

12:31 PM

John Pierce Final

Name one thing u have done for Israel. ONE.

12:31 PM

JF

08/01/2019

John Pierce Final

JF

NAME IT

12:31 PM

John Pierce Final

JF

BITCH

12:31 PM

John Pierce Final

JF

Valley girl bitch

12:32 PM

John Pierce Final

JF

Fuck u forever

12:32 PM

John Pierce Final

JF

I will fuck u and ur kind up. U have no idea

12:33 PM

John Pierce Final

JF

U have no idea what's coming ur way. Time is ticking. Count it down.

12:34 PM

John Pierce Final

JF

#armageddon

12:35 PM

John Pierce Final

JF

Slut

12:35 PM

John Pierce Final

JF

I fucking warned u

12:35 PM

John Pierce Final

JF

Good luck sleeping

12:35 PM

John Pierce Final

JF

Take some more drugs. U will need it

12:36 PM

John Pierce Final

JF

Or go work out for 12 hours. Fucking ungrateful skank

12:37 PM

John Pierce Final

JF

I will fuck with u the rest of ur fucking cursed life

12:38 PM

John Pierce Final

JF

Bitch

12:38 PM

John Pierce Final

JF

Watch Jack Bauer on 24 if ur curious what I'm capable of.

12:39 PM

08/01/2019

John Pierce Final

JF

Ruin my fucking life. Ya, we'll see how that works out for u

12:40 PM

John Pierce Final

JF

Valley cunt

12:40 PM

John Pierce Final

JF

And guess what if I spent my life juggling a soccer ball I would be better than u. But no, I spend my life protecting the innocent and vulnerable. U are a fucking disgusting whore and I despise u. NEVER. FORGET. THAT. SLUT.

12:43 PM

John Pierce Final

JF

Valley cunt. U dont even support Israel. Disgusting. I will be at Armageddon with my children fighting against u. U are biblically defined evil. ISRAEL AND AMERICA FOREVER. bitch

12:45 PM

John Pierce Final

JF

I will find u at Armageddon and fuck u up. Personally

12:46 PM

John Pierce Final

JF

Call urself Jewish. Fucking joke.

12:46 PM

John Pierce Final

JF

I know more Hebrew than u. Any day.

12:47 PM

John Pierce Final

JF

U like AOC??? Say it. Dont be shy. Be a libtard. Say it. Anti-semite whore. Fuck u. I will fuck ur kind up. She is going to talk about concentration camps?? Fuck u. I was in the US Army. We liberated the concentration camps. Fuck u

12:49 PM

John Pierce Final

JF

#chosen

12:50 PM

John Pierce Final

JF

Uneducated bitch

12:50 PM

John Pierce Final

JF

I fucking hate u

12:50 PM

John Pierce Final

JF

And u have decades to wonder how that will play out. I am relentless and I will fuck u up

12:51 PM

John Pierce Final

JF

I. WILL. FUCK. U. UP. VALLEY. GIRL. WANNABE. HLS. POSER. BITCH.

12:52 PM

John Pierce Final

JF

And if u wanna test me just lemme know. Anywhere. Anytime. Cunt.

12:54 PM

John Pierce Final

JF

People like u hate the USA. Guess what bitch, we ain't goin anywhere. Ever. Go to hell where u belong. America belongs to US and God.

12:57 PM

John Pierce Final

JF

Anti-semite skank

1:01 PM

John Pierce Final

JF

WHAT HAVE U EVER DONE TO SERVE UR COUNTRY OR ISREAL. NAME ONE MOTHER FUCKING THING. THEN MAYBE I WILL GIVE U MORE MONEY. SLUT.

1:02 PM

John Pierce Final

JF

Answer bitch

1:07 PM

John Pierce Final

JF

Answer for urself slut. Name one thing u have done for Israel. ONE. MOTHER. FUCKING. THING.

1:10 PM

John Pierce Final

JF

Do it. Now. One thing.

1:10 PM

John Pierce Final

JF

One thing.

1:11 PM

John Pierce Final

JF

Name it.

1:11 PM

John Pierce Final

JF

Now.

1:11 PM

John Pierce Final

JF

Bitch

1:11 PM

John Pierce Final

JF

Who are u voting for slut

1:11 PM

08/10/2019

John Pierce Final

JF

Say it

1:11 PM

John Pierce Final

I think u have the lowest actual and practical a d emotional IQ of anyone who ever graduated from Standord and HLS. Seriously. In history. U couldn't even make the law review even though u cheated. And even though u stole candy from asians in Harvard square. Hundreds of times. U should be proud of urself. Really. Slut.

1:15 PM

JF

John Pierce Final

JF

Go work out for a few more hours!!!!!!

1:17 PM

John Pierce Final

JF

Like take it to SEVEN hours a day. That's soooooo impressive and well-adjusted. Disloyal bitch

1:18 PM

John Pierce Final

JF

I cant hear u!!!!???? Cunt

1:18 PM

John Pierce Final

JF

What's up. Answer. I CAN. NOT. HEAR. YOU.

1:20 PM

John Pierce Final

JF

SLUT. SKANK. WHORE. BITCH. CUNT.

1:21 PM

John Pierce Final

JF

ANSWER GOD DAMN U. ARE U A NEO-NAZI AOC LOVING ANTI SEMITE??? DECLARE URSELF SO I KNOW HOW TO DEAL WITH U!!!!

1:27 PM

John Pierce Final

JF

Fucking sociopath anti-semite bitch. I will ruin ur day at Armageddon

1:33 PM

John Pierce Final

JF

Me and Tulsi will fuck u fascist neo-nazi socialist mother fuckers up. Count on it. #USA

1:37 PM

John Pierce Final

JF

Do u even know what Armageddon is??? Fucking uneducated moron clueless anti-semite bitch.

1:46 PM

John Pierce Final

JF

It is good vs evil. I am good. U are evil. God is on my side. I will hunt u down and fuck u up.

1:47 PM

John Pierce Final

JF

That's what I thought. Bitch. Beg for money. Say my name.

1:55 PM

Sunday, July 28, 2019

John Pierce Final

JF

Sorry about all that. Had a bad day yesterday. All good now. Didnt mean any of that.

9:21 AM

08/01/2019

EPO-001

ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to law enforcement agency

LAW ENFORCEMENT CASE NUMBER:

EMERGENCY PROTECTIVE ORDER (See reverse for Important notices.)

T19005424

1. **PROTECTED PERSONS** (insert names of all persons protected by this Order):
ALYSE PIERCE, DANIEL PIERCE, JORDAN PIERCE & JOSHUA PIERCE.
2. **RESTRAINED PERSON** (name): JOHN PIERCE
 Sex: ☒ M ☐ F Ht.: 510 Wt.: 220 Hair color: GRAY Eye color: BLU Race: WHT Age: 47 Date of birth: 06-25-72
3. **TO THE RESTRAINED PERSON:**
 a. ☒ **YOU MUST NOT** harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy any personal property of, disturb the peace of, keep under surveillance, or block the movements of each person named in item 1.
 b. ☒ **YOU MUST NOT** contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.
 c. ☐ **YOU MUST** ☒ stay away at least: 100 yards from each person named in item 1.
☐ stay away at least: _____ yards from ☐ move out immediately from
 (address): _____
 d. **YOU MUST NOT** own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition. If you have any firearms, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer.
 e. **YOU MUST NOT** take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.
4. ☐ (Name): _____ is given temporary care and control of the following minor children of the parties (names and ages): _____
5. **THIS ORDER WILL EXPIRE AT THE CLOSE OF THE COURT BUSINESS DAY ON:** AUG 2 4pm
INSERT DATE OF FIFTH COURT DAY OR SEVENTH CALENDAR DAY, WHICHEVER IS EARLIER; DO NOT COUNT DAY THE ORDER IS GRANTED
6. **TO THE PROTECTED PERSON:** If you need protection for a longer period of time, you must request restraining orders from the court in the county where you live:
 (Name and address of court): VAN NUYS COURT 14400 ERWIN ST VANUYS 91401
 If you go to court to request restraining orders, take your copy of this form with you. If a juvenile petition is pending, file in that court.
7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.
8. Judicial officer (name): JUDGE GIBBONS granted this Order on (date): 7-27-19 at (time): 1725

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are (give facts and dates; specify weapons):
RESTRAINED PERSON REPEATEDLY TEXTED VICTS THREATS OF VIOLENCE.
10. ☐ Firearms were: ☐ observed ☐ reported ☐ searched for ☐ seized
11. ☐ The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 3c.
12. ☒ The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 9. A custody order ☒ does ☐ does not exist.
- By: GRACKY 30947 (PRINT NAME OF LAW ENFORCEMENT OFFICER) [Signature] (SIGNATURE OF LAW ENFORCEMENT OFFICER)
- Agency: LAPD Telephone No. (818) 374-9500 Badge No.: 30947

PROOF OF SERVICE

13. Person served (name): _____
14. I personally delivered copies of this Order to the person served as follows: Date: _____ Time: _____
 Address: _____
15. At the time of service, I was at least 18 years of age and not a party to this cause. ☐ I am a California law enforcement officer.
16. My name, address, and telephone number are (this does not have to be server's home telephone number or address): _____
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- Date: _____
- (TYPE OR PRINT NAME OF SERVER) (SIGNATURE OF SERVER)

Page 1 of 2

08/01/2019

Los Angeles Police Department INVESTIGATIVE REPORT		UCR CODE _____ CC: _____		<input type="checkbox"/> COMBINED EVID. REPORT <input type="checkbox"/> MULTIPLE DRS ON THIS REPORT	
Page <u>2</u> of <u>2</u> 03.01.00 (03/18)		REPORT OF: CRIMINAL THREATS			
CASE SCREENING FACTOR(S) <input checked="" type="checkbox"/> SUSPECT/VEHICLE NOT SEEN <input type="checkbox"/> PRINTS OR OTHER EVIDENCE NOT PRESENT <input type="checkbox"/> MO NOT DISTINCT <input checked="" type="checkbox"/> PROPERTY LOSS LESS THAN \$5,000 <input checked="" type="checkbox"/> NO SERIOUS INJURY TO VICTIM <input checked="" type="checkbox"/> ONLY ONE VICTIM INVOLVED		VICTIM		INVEST DIV. Top INC # 190727004347 DR # _____	
		LAST NAME, FIRST, MIDDLE (OR NAME OF BUSINESS) Pierce, Alyze, Lowen		SEX F DESC W HT 508 WT 120 AGE 44 DOB 04/15/1975	
		ADDRESS R- 4600 Poe Av Woodland Hills Ca 91364		PHONE _____ X <input type="checkbox"/>	
		B- _____		CELL PHONE (310) 883-5690	
E-MAIL ADDRESS _____		DR. LIC. NO. (IF NONE, OTHER ID & NO.) A7586258		FOREIGN LANGUAGE SPOKEN - OCCUPATION Atty	
PREMISES (SPECIFIC TYPE) <input type="checkbox"/> ATM Residence		ENTRY 459/BFV POINT OF ENTRY POINT OF EXIT LOCATION OF OCCURRENCE SAME AS V'S <input checked="" type="checkbox"/> RES. <input type="checkbox"/> BUS. R.D. 2197 PRINTS BY PREL. INV. <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> FRONT <input type="checkbox"/> REAR <input type="checkbox"/> SIDE <input type="checkbox"/> ROOF <input type="checkbox"/> FLOOR <input type="checkbox"/> OTHER			
METHOD _____		DATE & TIME OF OCCURRENCE 07/27/2019 12:30 07/27/2019 14:00		DATE & TIME REPORTED TO PD 07/27/2019 18:40	
INSTRUMENT/TOOL USED _____		TYPE PROPERTY STOLEN/LOST/DAMAGED <input type="checkbox"/> 03.04.00 GIVEN <input type="checkbox"/> STOLEN/LOST <input type="checkbox"/> RECOVERED <input type="checkbox"/> EST. DAMAGED ARSON / VAND. \$ _____		VICT'S VEH. (IF INVOLVED) YEAR, MAKE, TYPE, COLOR, LIC. NO. _____	
NOTIFICATION(S) (PERSON & DIVISION) _____		CONNECTED REPORT(S) (TYPE & DR #) _____			
MO IF LONG FORM. LIST UNIQUE ACTIONS. IF SHORT FORM , DESCRIBE SUSPECT'S ACTIONS IN BRIEF PHRASES, INCLUDING WEAPON USED. DO NOT REPEAT ABOVE INFO BUT CLARIFY REPORT AS NECESSARY. IF ANY OF THE MISSING ITEMS ARE POTENTIALLY IDENTIFIABLE, ITEMIZE AND DESCRIBE ALL ITEMS MISSING IN THIS INCIDENT IN THE NARRATIVE.					
Susp (exhusband with 3 minor children in common) text Vict threatening messages "I'm will fuck you up personally". Vict is in fear.					
TRANSIT-RELATED INCIDENT <input type="checkbox"/>		MANDATORY MARSY'S RIGHTS CARD PROVIDED TO THE VICTIM <input type="checkbox"/>		MOTIVATED BY HATRED/PREJUDICE <input type="checkbox"/> DOMESTIC VIOLENCE <input type="checkbox"/>	
INITIALS, LAST NAME Gracey SERIAL NO. 30947 DIV./DETAIL Vnys		PERSON REPORTING Desk SIGNATURE _____ OR RECEIVED BY PHONE <input type="checkbox"/>		NOTE: IF SHORT FORM AND VICTIM/PR ARE NOT THE SAME, ENTER PR INFORMATION IN INVOLVED PERSONS SECTION.	

THIS REPORT DOES NOT CONSTITUTE VALID IDENTIFICATION
KEEP THIS REPORT FOR REFERENCE. INSTRUCCIONES EN ESPAÑOL AL REVERSO.

Your case will be assigned to a detective for follow-up investigation based upon specific facts obtained during the initial investigation. Studies have shown that the presence of these facts can predict whether a detailed follow-up investigation would likely result in the arrest and prosecution of the suspect(s) or the recovery of property, in a manner that is cost-effective to you, the taxpayer. Significant decreases in personnel have made it impossible for detectives to personally discuss each and every case with all crime victims. A detective will not routinely contact you, unless the detective requires additional information.

TO REPORT ADDITIONAL INFORMATION: If you have specific facts to provide which might assist in the investigation of your case, please contact the detective Monday through Friday, between 8:00 A.M. and 9:30 A.M., or between 2:30 P.M. and 4:00 P.M. at telephone number _____. If the detective is not available when you call, please leave a message and include the telephone number where you can be reached.

COPY OF REPORT: If you wish to purchase a copy of the complete report, phone (213) 486-8130 to obtain the purchase price. Send a check or money order payable to the Los Angeles Police Department to Records and Identification Division, Box 30158, Los Angeles, CA 90030. Include a copy of this report or the following information with your request: 1) Name and address of victims; 2) Type of report and DR number (if listed above); 3) Date and location of occurrence. NOTE: Requests not accompanied by proper payment will not be processed.

DR NUMBER: If not entered on this form, the DR number may be obtained by writing to Records and Identification Division and giving the information needed to obtain a copy of the report (see above paragraph). Specify that you only want the DR number. It will be forwarded without delay. There is no charge for this service.

CREDIT CARDS/CHECKS: Immediately notify concerned credit corporation or banks to avoid possibility of being liable for someone else using your stolen or lost credit card or check.

HOW YOU CAN HELP THE INVESTIGATION OF YOUR CASE:

- * Keep this memo for reference.
- * If stolen items have serial numbers not available at time of report, attempt to locate them and phone them to the detective at the listed number.
- * If you discover additional losses, complete and mail in the Supplemental Property Loss form given to you by the reporting employee.
- * Promptly report recovery of property.
- * Promptly report additional information such as a neighbor informing you of suspicious activity at time crime occurred.

VICTIM ASSISTANCE PROGRAM: The Los Angeles City Attorney's Victim Assistance Program and Los Angeles District Attorney's Office Bureau of Victim Services can help determine if you qualify for victim compensation. If you are a victim of a qualifying crime, they will assist with filing your claim application. If you are a victim or a witness to a crime and will be going to court, they will explain the court procedures to you. To find the program location nearest you, call the Los Angeles City Attorney's Victim Assistance Program at (213) 978-4537, or the Los Angeles County District Attorney's Office, Bureau of Victim Services, at (800) 380-3811.

CALIFORNIA VICTIM COMPENSATION BOARD: Refer to paragraph at bottom of reverse side.

www.LAPDOnline.org
www.joinLAPD.com



DEPARTAMENTO DE POLICIA
DE LOS ANGELES

MEMORANDUM DE REPORTE PARA VICTIMAS

Su caso será asignado a un detective para continuar la investigación basandose en factores específicos obtenidos durante la investigación inicial. Estudios han demostrado que la presencia de estos factores pueden predecir si una investigación detallada podría resultar en el arresto y prosecución del responsable o la recuperación de la propiedad, de una manera que es menos costosa para ud, el contribuyente. Disminuciones significantes de personal han hecho imposible a los detectives discutir personalmente cada caso con todas las victimas de crímenes. El detective no lo contactara rutinariamente a menos que requiera información adicional.

PARA REPORTAR INFORMACIÓN ADICIONAL: Si tiene datos específicos que proveer que pudieran asistir en la investigación de su caso, favor de comunicarse con el detective de Lunes a Viernes, entre las 8:00 y 9:30 de la mañana o entre las 2:30 y 4:00 de la tarde al teléfono _____. Si el detective no se encuentra disponible cuando usted llame, favor de dejar un mensaje incluyendo un número de teléfono dónde se pueda comunicar con usted.

COPIA DE REPORTE: Si desea comprar una copia del reporte completo, llame al (213) 486-8133 para obtener el precio actual. Remita un cheque o giro postal a Los Angeles Police Department Records and Identification Division, Box 30158, Los Angeles, California 90030. Incluya con su petición una copia de este reporte o la siguiente información: 1) Nombre y domicilio de la víctima(s); 2) Tipo de reporte, y numero de DR, (si está listado en esta forma); 3) Fecha y lugar de los hechos. NOTA: Peticiones no adjuntas al pago apropiado no serán procesadas.

NUMERO DR: Si no aparece en esta forma, el número DR se puede obtener escribiendo a Records and Identification Division dándoles la información necesaria para obtener una copia del reporte (vea el párrafo anterior). Especifique que usted quiere el número DR. Será mandado sin tardanzas. No hay cargos por este servicio.

TARJETA DE CREDITO/CHEQUES: Notifique inmediatamente a su compañía de crédito o banco para evitar la posibilidad de hacerse sujeto a que alguien use sus cheques o tarjeta perdida o robada.

¿CÓMO PUEDE AYUDAR EN LA INVESTIGACIÓN DE SU CASO?

- Mantenga este memorándum como referencia.
- Si los bienes robados tienen número de serie, y no los tenía al llenar el reporte trate de localizarlos y llame al detective al número listado.
- Si describe pérdidas adicionales, llene y mande la forma Supplemental Property Loss proveida por el empleado tomando el reporte.
- Reporte la recuperación de bienes de inmediato.
- Reporte detalles adicional de inmediato tal como un vecino informándole de actividad sospechosa en el tiempo en que ocurrió el delito.

PROGRAMA DE ASISTENCIA A VICTIMAS: El programa de asistencia a víctimas de la ciudad y del condado de Los Angeles puede ayudar a determinar si usted califica para una compensación como víctima de un crimen violento. Si usted califica, le ayudarán a llenar su reclamo. Si usted es víctima de un crimen y estará asistiendo a corte, ellos le explicaran el procedimiento de la corte.

Para encontrar la oficina más cercana a usted, llame la oficina del Procurador de la Ciudad de Los Angeles (213) 978-4537 o visite su sitio web www.helpcrimevictims.org o a la oficina del Fiscal del Condado de Los Angeles (800) 380-3811.

COMPENSACIÓN PARA VÍCTIMAS DE CRIMENES VIOLENTOS: Si usted ha sido víctima de un crimen violento usted puede calificar para un reembolso por gastos médicos, gastos de salud mental, reubicación, pérdidas de sueldo o apoyo económico, rehabilitación o reentrenamiento vocacional. Si la herida o la muerte resultó a causa de un accidente de carro, usted o su afectado también puede calificar si el chofer culpable fue sometido a uno de los siguientes cargos: conducir bajo la influencia del alcohol o de drogas; chocar y huir; usar el vehículo como arma, o huyendo del sitio de un delito violento.

Si usted pago los gastos de un entierro/funeral de una víctima de un delito violento, puede ser reembolsado hasta \$7,500 por los gastos. El Estado no reembolsará por daños o ni pérdidas de propiedad. La ley [Sección 13959(a-c) y las subsiguientes secciones del Código Gubernamental] requiere que reporte el crimen y que coopere con la ley para recibir el reembolso. Usted tiene tres años, a partir de la fecha del delito, para hacer su reclamo (este límite se puede extender si hay una causa que lo justifique).

Para recibir asistencia de Compensación para Victimias se puede comunicar con las siguientes: La Oficina del Procurador de la Ciudad de Los Angeles (213) 978-4537 or visite su sitio web www.helpcrimevictims.org or la oficina del Fiscal del Condado de Los Angeles (800) 380-3811.

CALIFORNIA VICTIM COMPENSATION BOARD: If you are a victim of a violent crime and are injured as a result of the crime, you may be eligible for reimbursement for medical expenses, mental health expenses, relocation, loss of wages, support loss, or job rehabilitation. If injury or death was the result of an auto accident, you and surviving victims may also qualify if the driver at fault was charged with one of the following: driving under the influence of alcohol or drugs; hit and run; using the vehicle as a weapon; or fleeing the scene of a violent crime.

If you paid the funeral/burial expenses for someone who was a victim of a violent crime, you may be eligible for reimbursement for up to \$7,500 for funeral/burial expenses. Property loss or damage will not be repaid by the State. The law [California Government Code Section 13959 (a-c)] requires that a victim report the crime, and must cooperate with law enforcement in order to be found eligible for reimbursement. You have three years from the date of the crime to file a claim (may be extended for good cause).

To receive assistance with the Victim Compensation application, you may call one of these agencies: Los Angeles City Attorney Victim Assistance Program (213) 978-4537 or visit their website at: www.helpcrimevictims.org, or Los Angeles District Attorney's Office, Bureau of Victim Services (800) 380-3811.

GUARDE ESTE MEMORANDUM PARA REFERENCIA

www.LAPDOnline.org
www.joinLAPD.com



08/01/2019

08/01/2019

EPO-001

ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to law enforcement

LAW ENFORCEMENT CASE NUMBER:

T19005424

EMERGENCY PROTECTIVE ORDER (See reverse for important notice)

1. PROTECTED PERSONS (insert names of all persons protected by this Order):
ALYSE PIERCE, DANIEL PIERCE, JORDAN PIERCE & JOSHUA PIERCE.
2. RESTRAINED PERSON (name): JOHN PIERCE Race: WHT Age: 47 Date of birth: 06-25-72
Sex: ☒ M ☐ F Ht.: 5'10 Wt.: 220 Hair color: GRY Eye color: BLU CAUC
3. TO THE RESTRAINED PERSON:
- ☒ YOU MUST NOT harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy any personal property of, disturb the peace of, keep under surveillance, or block the movements of each person named in item 1.
 - ☒ YOU MUST NOT contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.
 - ☐ YOU MUST ☒ stay away at least: 100 yards from each person named in item 1. ☐ move out immediately from (address): _____
 - ☐ YOU MUST NOT own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition. If you have any firearms, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer.
 - ☐ YOU MUST NOT take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.
4. ☐ (Name): _____ is given temporary care and control of the following minor children of the parties (names and ages): _____
5. THIS ORDER WILL EXPIRE AT THE CLOSE OF THE COURT BUSINESS DAY ON: AUG 2 4pm
6. TO THE PROTECTED PERSON: If you need protection for a longer period of time, you must request restraining orders from the court in the county where you live:
(Name and address of court): VAN NUYS COURT 14400 ERWIN ST VANUYS 91401
If you go to court to request restraining orders, take your copy of this form with you. If a juvenile petition is pending, file in that court.
7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.
8. Judicial officer (name): JUDGE GIBBONS granted this Order on (date): 7-27-19 at (time): 1725

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are (give facts and dates; specify weapons):
RESTRAINED PERSON REPEATEDLY TEXTED VICT'S THREATS OF VIOLENCE.
10. ☐ Firearms were: ☐ observed ☐ reported ☐ searched for ☐ seized
11. ☐ The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 3c.
12. ☒ The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 9. A custody order ☒ does ☐ does not exist.
- By: GRACEY 30947 (PRINT NAME OF LAW ENFORCEMENT OFFICER) [Signature] (SIGNATURE OF LAW ENFORCEMENT OFFICER)
- Agency: LAPD Telephone No. (818) 374-9500 Badge No.: 30947

PROOF OF SERVICE

13. Person served (name): John Pierce
14. I personally delivered copies of this Order to the person served as follows: Date: 7-28-19 Time: 11:57 a.m.
Address: 10811 Willowbrae Ave., Chatsworth, CA
15. At the time of service, I was at least 18 years of age and not a party to this cause. ☐ I am a California law enforcement officer.
16. My name, address, and telephone number are (this does not have to be server's home telephone number or address):
Daniel Tello, 19197 Golden Valley Rd. #916, Santa Clarita, CA 91387
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- Date: 7-28-19
Daniel Tello (TYPE OR PRINT NAME OF SERVER) [Signature] (SIGNATURE OF SERVER)

Page 1 of 2